

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

**(19) World Intellectual Property Organization
International Bureau**



**(43) International Publication Date
12 September 2003 (12.09.2003)**

PCT

(10) International Publication Number
WO 03/073913 A2

(51) International Patent Classification⁷:

A61

(81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW.

(21) International Application Number: PCT/US03/06149

(22) International Filing Date: 26 February 2003 (26.02.2003)

(25) Filing Language: English

(25) Filing Language: English

(25) Filing Language: English

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:

(71) Applicant: EVALVE, INC. [US/US]; 2761A Fair Oaks

(71) **Applicant:** EVALVE, INC. [US/US]; 2761A Fair Oaks Avenue, Redwood City, CA 94063 (US).

(72) **Inventors:** MARTIN, Brian, B.; 315 Alder Road, Boulder Creek, CA 95006 (US). THORNTON, Troy, L.; 743 Carolina, San Francisco, CA 94107 (US).

(74) Agents: THOMPSON, Lynn, M. et al.; Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834 (US).

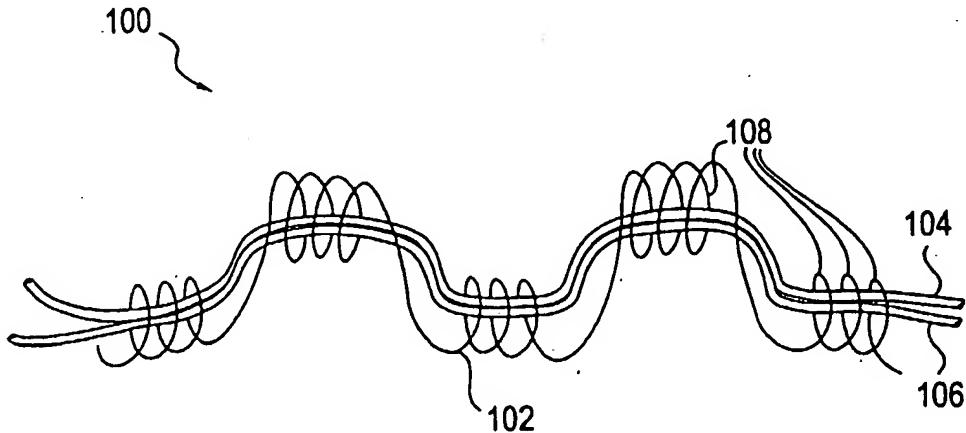
(84) **Designated States (regional):** ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

— without international search report and to be republished upon receipt of that report

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: SUTURE FASTENERS AND METHODS OF USE



(57) Abstract: The present invention provides apparatuses, systems, methods and kits for fastening sutures or similar devices used in medical surgical procedures. In particular, the present invention is suitable for use with percutaneous or minimally invasive procedures in which sutures are placed with catheter-based devices wherein the tying of knots is particularly challenging. Suture fasteners of the present invention provide for fastening the sutures together in a fixed position at any location along the suture strands. In addition, the fasteners are adjustable to allow repositioning of the fastener after placement to a new desired location along the suture strands. Similarly, such fasteners may be used to hold a single suture strand for various applications.

SUTURE FASTENERS AND METHODS OF USE

BACKGROUND OF THE INVENTION

1. Field of the Invention

5 The present invention relates generally to medical methods, systems and kits. Particularly, the present invention is related to methods and apparatuses for holding one or more suture strands in a configuration so as to fasten.

10 Sutures are typically used to hold tissue in desired positions, such as to close wounds or to correct malformations. The suture lines are threaded through the tissue any number of times and held in place to maintain the new tissue configuration. In order to hold the suture taught over an extended period of time, a knot is commonly formed in the suture ends. Suturing is often thought of as an art form learned over an extended period of time. There are many types of sutures and knots, each providing certain advantages in a particular operative setting. At least as complicated as the suturing itself is the knot-tying which must occur to secure each of the sutures. Where individual sutures are placed to close a long wound, an individual knot is tied in each place.

15 Knots differ considerably in their configuration, function, complexity and characteristics. By way of example, it will be noted that knots typically involve several throws of the sutures ends relative to each other. In one common knot, three half-hitches are used with the first half-hitch having four throws and each subsequent half-hitch having three throws. In this case, tying of a single knot to close a single suture involves ten throws. The simplest knots may be easier to tie, but in distant locations even the simple knots can be complicated where it is difficult to achieve proximity to the suture site. In these locations, more complicated slip knots have been used. These knots can be tied at a remote location 20 and then slipped down to the surgical site. Except for a few extremely complex knots, slip knots have the undesirable tendency to slip in both directions. As a result, their ease of tying and movement to the surgical site is offset by their tendency to lose their grip at the suture site.

25 From these few examples, it can be appreciated that knots, as a suture-fastening system, are time-consuming, difficult to tie, hard to place, often unreliable as a holding system, difficult to adjust and impossible to relocate. This is particularly the case in

the context of percutaneous, endovascular, laparoscopic, minimally invasive or robotic procedures. For these reasons, it would be desirable to provide alternative methods, systems, and kits for fastening sutures or similar devices which overcome at least some of the shortcomings noted above.

5

2. Description of the Background Art

Hart et al., U.S. Patent No. 6,099,553, describes a suture system for closing a wound. The suture system includes a securing mechanism having a plurality of tines wherein the mechanism has a first position for capturing suture ends and a second position for 10 permanently holding the suture ends in a fixed relationship. In a third position, the securing mechanism frictionally engages the suture ends in a sliding relationship.

Batra, U.S. Patent No. 4,510,934, describes a surgical suture which consists of a monofilament core and a braided sheath surrounding the core. The core is later removed whereupon the sheath becomes flexible for tying into a secure knot.

15

BRIEF SUMMARY OF THE INVENTION

The present invention provides apparatuses, systems, methods and kits for fastening sutures or similar devices used in medical surgical procedures. In particular, the present invention is suitable for use with minimally invasive procedures in which sutures are 20 placed with catheter-based devices wherein the tying of knots is particularly challenging. Suture fasteners of the present invention provide for fastening the sutures together in a fixed position at any location along the suture strands. In addition, the fasteners are adjustable to allow repositioning of the fastener after placement to a new desired location along the suture strands. Similarly, such fasteners may be used to hold a single suture strand for various 25 applications.

In a first aspect of the present invention, the suture fastener for adjustably holding one or more suture strands comprises at least one fastening element comprised of a shape-recovery material or other suitable metal, polymer or combination, wherein the element has a tensioned position for engaging the suture strands while allowing sliding of the 30 element relative to the suture strands and a relaxed shape-recovery position for holding the strands in a fixed position relative to the element or to each other. It may be appreciated that the term "tensioned position" is used to describe a position from which the element converts and assumes the shape-recovery position upon proper activation, such as stimulus or release or force. For example, the element may be placed under tension, compression, extension or

any high potential energy state when in the tensioned position. Release of the force holding the element in this state allows the element to assume a relaxed shape-recovery position. Alternatively, the element may be in a tensioned position when no external force is applied but wherein the application of heat or energy transitions the form of the element to a relaxed shape-recovery position. Thus, the term "tensioned position" is not intended to limit the scope of the application to only positions under mechanical tension. In the tensioned position, the element holds the suture strands along a substantially straight path to provide ease of sliding. In the relaxed shape-recovery position, the element holds the suture strands along a tortuous path. In some embodiments, the suture strands are held along the same path and in others, wherein the suture strands comprise a first suture strand and a second suture strand, the first strand follows a first tortuous path and the second strand follows a second tortuous path which differs from the first tortuous path. And, in some embodiments, the tortuous path has a zig zag form or other non-linear form.

The suture fastener may take a variety of forms. In some embodiments, the suture fastener comprises a fastening element comprising a coil. In some of the coil embodiments, each turn of the coil has a circular, elliptical, square or triangular shape, to name a few, when the element has the relaxed shape-recovery position. In addition, the coil may further comprise at least one suture retention loop, typically having a circular or elliptical shape. The suture retention loop(s) of each coil turn may be disposed in diametrical opposition when the element has the relaxed shape-recovery position, such as along a long axis of the elliptical shape when so shaped. Alternatively, the suture retention loop(s) may be spaced along each coil turn in a uniform or varied pattern. In other embodiments, each turn of the coil has a figure-eight shape comprising two lobes when the element has the relaxed shape-recovery position and one suture retention loop is disposed within each lobe. The suture retention loops are thus disposed in concentric alignment when the element has the tensioned position.

In other embodiments, the suture fastener comprises a fastening element which has a flat shape when in the tensioned position and the element has a curved or bent shape in the relaxed shape-recovery position. For example, the element may comprise an elongate wire, ribbon, rod, filament or shaft having two or more apertures along its length. In preferred embodiments, the element comprises a ribbon having a width in the range of approximately 0.030 to 0.120 inches and a thickness in the range of approximately 0.002 to 0.020 inches. Suture strands are threaded through the apertures so that the element is slidable along the strands in the tensioned position. However, the curved shape of the element in the

relaxed shape-recovery position prevents such sliding of the element and fixes the element in place.

In further embodiments, the suture fastener comprises two or more elements which interlock when the elements are in the relaxed shape-recovery position. Generally, the 5 elements may be separated, straightened, held open or untwisted in the tensioned position so that the suture strands may be placed within or between them. In this arrangement, the elements may be moved relative to the suture strands to adjust the position of the elements along the strands. When the elements return to the relaxed shape-recovery position, the elements interlock around the strands so that the strands are held in a fixed position relative to 10 the element and each other.

In additional embodiments, the suture fastener comprises an element which has a first portion having at least one first aperture and a second portion having at least one second aperture, wherein at least one first aperture is concentrically aligned with at least one second aperture when the element is in the tensioned position and the at least one first aperture is misaligned with the at least one second aperture when the element is in the relaxed 15 shape-recovery position. To achieve this, the element has a cylindrical or triangular shape wherein at least part of the first portion overlaps at least part of the second portion when the element is in the tensioned position. In this configuration, suture strands may be threaded through the apertures in a stitching-type fashion. Thus, transition of the element to the 20 relaxed configuration draws the portions apart placing the strands along a tortuous path.

In any of the above embodiments, transition from the tensioned position to the relaxed position may be achieved by any means, such as by release of a force on the element or by a change in temperature of the element.

In a second aspect of the present invention, a method for securing two or more 25 suture strands together comprises the steps of providing at least one fastening element comprised of a shape-recovery material, wherein the element is in a tensioned position for engaging the suture strands while allowing sliding of the element relative to the suture strands, engaging the suture strands with the element and transitioning the element to a relaxed shape-recovery position wherein the strands are in a fixed position relative to the 30 element or to each other. The engaging step typically comprises positioning the suture strands along a path through at least a portion of the element. In some instances, the engaging step comprises positioning a first suture strand along a first path and a second suture strand along a second path which differs from the first path. When the element comprises a coil where each turn of the coil includes two suture retention loops, the

positioning step may include positioning the suture strands through two or more suture retention loops. And when the suture retention loops of each coil turn are disposed in diametrical opposition when the element is in the relaxed shape-recovery position, the positioning step may include positioning the suture strands through successive suture retention loops so that the strands follow a path having a zig zag form when the element is in the relaxed shape-recovery position.

5 The providing step of the methods of the present invention may include loading the element on a loading tool. Alternatively, the element may already be loaded on the loading tool and the providing step comprises providing the element loaded on or within a 10 loading tool. In either situation, the transitioning step comprises releasing the element from the loading tool.

When the element comprises an elongate wire, ribbon, rod, filament or shaft, the engaging step may comprise positioning the suture strands near at least two elements so that the elements capture the suture strands during the transitioning step by interlocking with 15 each other. When the element comprises an elongate wire, ribbon, rod, filament or shaft having two or more apertures along its length, the positioning step may comprise positioning the suture strands through at least two apertures, such as in a stitching fashion. Similarly, when the element has a first portion having at least one first aperture and a second portion having at least one second aperture, the positioning step may comprise positioning the suture 20 strands through at least one first aperture and at least one second aperture. This is easily achieved when the element has at least one first aperture concentrically aligned with at least one second aperture and the positioning step comprises positioning the suture strands through apertures in a stitching fashion.

With any of the above described embodiments of the fastening elements, the 25 element may be slid along the suture strands to a desired position prior to transitioning to the relaxed shape-recovery position. Once transitioned, the position of the element along the suture strands may be adjusted. The adjusting step may comprise transitioning the element to the tensioned position and moving the element in relation to the suture strands.

In a third aspect of the present invention, a system for adjustably holding one 30 or more suture strands comprises at least one fastening element comprised of a shape-recovery material, wherein the element has a tensioned position for engaging the suture strands while allowing sliding of the element relative to the suture strands and a relaxed shape-recovery position for holding the strands in a fixed position relative to the element or to each other, and a loading tool having a proximal end, a distal end and a lumen

therethrough, wherein the element is loadable on the loading tool. In some embodiments, the loading tool further comprises a shaft near the distal end. In such instances, the element may comprise a coil which is mountable on the shaft. When each turn of the coil includes at least one suture retention loop, the coil may be loadable on the loading tool by inserting the shaft through at least one of the suture retention loops.

5 The system may further comprise at least one suture strand which is engageable by the element. Here, the loading tool may comprise a shaft near the distal end which houses at least a portion of the lumen through which the suture strand is threadable.

In a fourth aspect of the present invention, a suture fastening system for
10 adjustably holding one or more suture strands comprises a delivery catheter comprising a proximal end, a distal end, and a lumen therethrough; and a suture fastener loadable on the distal end of the delivery catheter, said fastener comprising a ratcheting mechanism which is adapted to hold a suture strand at a first location and then release the strand and hold the strand at a second location upon adjustment, wherein the first and second locations are a predetermined distance apart. In some embodiments, the system further comprises at least
15 one suture strand, wherein the strand has at least a first protuberance disposed near the first location and a second protuberance disposed near the second location. The suture strand may comprise a fiber, thread, filament, wire or cord and at least one protuberance may be selected from the group consisting of knots, beads, balls, ribs, and spokes. Further, the suture strand or at least one protuberance may be comprised of a material selected from the group
20 consisting of stainless steel, nitinol, metal, polymer, silicone, latex, epoxy, cotton, nylon, polyester, and polytetrafluoroethylene-. In some embodiments, the ratcheting mechanism comprises at least two flexible arms having stoppers mounted thereon which are engageable with the protuberance. In most of these instances, the suture fastener may be loadable within
25 the lumen of the delivery catheter.

In a fifth aspect of the present invention, a method for adjustably holding a suture strand comprises the steps of providing a delivery catheter comprising a proximal end, a distal end, and a lumen therethrough, loading a suture fastener on the distal end of the delivery catheter, said fastener comprising a ratcheting mechanism which is adapted to hold the suture strand at a first location and then hold the strand at a second location upon
30 adjustment, wherein the first and second locations are a predetermined distance apart, and engaging the suture fastener with the suture strand at the first location. In some embodiments where the suture strand has at least a first protuberance disposed near the first location, wherein the ratcheting mechanism comprises at least two flexible arms each having a stopper

mounted thereon which are engageable with the first protuberance, the loading step comprises positioning the suture strand so that the stopper engages the first protuberance. The method may further comprise adjusting the suture strand by advancing the strand through the fastener so that the fastener engages the strand at the second location. Thus, when the 5 suture strand has at least a second protuberance disposed near the second location, wherein the ratcheting mechanism comprises at least two flexible arms each having a stopper mounted thereon which are engageable with the second protuberance, the loading step may comprise advancing the suture strand so that the stopper engages the second protuberance.

The methods, systems and apparatuses of the present invention may be 10 provided in one or more kits for such use. The kits may comprise at least one fastening element comprised of a shape-recovery material, wherein the element has a tensioned position for engaging the suture strands while allowing sliding of the element relative to the suture strands and a relaxed shape-recovery position for holding the strands in a fixed position relative to the element or to each other, and instructions for use. Or, kits may 15 comprise a ratcheting mechanism which is adapted to hold a suture strand at first location and then release the strand and hold the strand at a second location upon adjustment, wherein the first and second locations are a predetermined distance apart, and instructions for use. Optionally, such kits may further include any of the other system components described in relation to the present invention and any other materials or items relevant to the present 20 invention.

It may be appreciated that in all embodiments of the methods of the present invention, the suture strand(s) held by the fastener may be cut at any distance from the fastener. In this way, the suture strands and fastener may be left in place as a temporary or permanent implant. Cutting of the sutures may be achieved by any suitable means. For instance, a cutting blade may be included in the delivery catheter which deploys the fastener. Or, a separate cutting catheter, tool, instrument or device may be used. Thus, such a cutting 25 means may be included in any of the systems, apparatuses or kits of the present invention.

Other objects and advantages of the present invention will become apparent from the detailed description to follow, together with the accompanying drawings.

30

BRIEF DESCRIPTION OF THE DRAWINGS

Figs. 1-2 illustrate an embodiment of a suture fastener.

Figs. 3-5 depict side views of a loading tool having a suture fastener loaded therein or thereon.

Figs. 6A-6C illustrate usage of a suture fastener in fixing valve leaflets together.

Figs. 7A-7B illustrate cross-sectional views of a fastening element having a coil shape.

5 Fig. 8 depicts a perspective view of a fastening element having a coil shape.

Fig. 9 illustrates a fixture for fabricating a fastening element having a coil shape.

Fig. 10 illustrates a cross-sectional view of a fastening element having a Figure-8 shape.

10 Fig. 11 depicts a perspective view of a fastening element having a Figure-8 shape.

Fig. 12 illustrates a fixture for fabricating a fastening element having a Figure-8 shape.

15 Fig. 13 illustrates suture strands held by a Figure-8 shaped element in a relaxed shape-recovery position.

Fig. 14 illustrates suture strands held by a Figure-8 shaped element in a relaxed shape-recovery position wherein each strand is held separately by the suture retention loops along separate paths.

Figs. 15A-15C illustrate a suture fastener comprising interlockable elements.

20 Figs. 16A-16B illustrate a suture fastener comprising an element having a flat shape when in a tensioned position and a curved shape when in a relaxed shape-recovery position.

Figs. 17A-17B illustrate a cylindrically shaped element having first and second portions with apertures for positioning suture strands.

25 Figs. 18A-18B illustrate a triangularly shaped element having first and second portions with apertures for positioning suture strands.

Fig. 19 illustrates an embodiment of a delivery catheter for delivery and deployment of a fastening element.

Figs. 20A-20B depict textured suture strands.

30 Figs. 21A-21B illustrate embodiments of a ratchet for use with textured suture strands.

Fig. 22 illustrates a housing having a flange wherein the ratchet of Figs. 21A-21B is housed within.

Fig. 23 illustrates a pair of valve leaflets fixed together by a textured suture strand and ratcheted fasteners.

Figs. 24A-24B illustrate a pair of valve leaflets fixed together by a textured suture strand and a single ratcheted fastener.

5 Fig. 25 illustrates a kit in accordance with the present invention.

Figs. 26A-26B, 27A-27B, 28A-28B illustrate additional embodiments of an element which holds suture strands, wherein each turn of the coil has various numbers and arrangements of suture retention loops.

10 Fig. 29 illustrates an embodiment wherein a suture strand is threaded through the suture retention loops in a pattern that does not follow the shape of the coil.

Fig. 30 illustrates an embodiment of an element wherein the coil is formed by alternating the direction of the wind.

Figs. 31-32 illustrate turns of a coil having shapes other than circular or oval.

15 Fig. 33A illustrates an embodiment of an element in a tensioned position having portions which are overlapped so that at least one aperture is concentrically aligned with another aperture.

Fig. 33B illustrates the embodiment of Fig. 33A in a relaxed position wherein the apertures are misaligned.

20 DETAILED DESCRIPTION OF THE INVENTION

Referring to Figs. 1-2, an embodiment of a suture fastener 100 is illustrated to provide an overview of the general features of the present invention. Here, the suture fastener 100 is comprised of a fastening element 102 having a coil shape. The element 102 is comprised of a shape-recovering material so that the element is able to return to a desired shape under certain conditions. For example, the shape-recovering material may be comprised of a shape-memory alloy, such as nitinol, or a spring-tempered steel. In this case, the element 102 may be placed in a tensioned position to form a first desired shape and release of the tension would allow the element 102 return to a relaxed shape-recovering position to form a second desired shape. These different shapes are useful in holding, adjusting and fastening one or more sutures.

For example, Fig. 1 illustrates a first suture strand 104 and a second suture strand 106 engaged by a fastening element 102. The element 102 has a coil shape wherein the suture strands 104, 106 are threaded through loops 108 of the coil while the element is maintained in a tensioned position. In this position, the loops 108 are generally aligned so

that the suture strands 104, 106 are held along a substantially straight path. Thus, the element 102 may be slid back and forth, as indicated by arrows, relative to the suture strands 104, 106. Such sliding allows the element 102 to be advanced along the suture to a desired position for anchoring or fastening. Tension on the element 102 may then be released so that 5 the element returns to a shape-recovering position. An example of such a position is shown in Fig. 2. Here, the element 102 holds the suture strands 104, 106 along a tortuous path having a zig zag form. In this position, the element 102 is not able to slide along the sutures as the tortuous path creates significant friction and resistance to sliding or slippage. Thus, the suture strands 104, 106 are fastened in place.

10 The suture fastener 100 may be introduced and deployed in a desired location with the use of a loading tool. In some embodiments, shown in Figs. 3-5, the loading tool 200 has a proximal end (not shown), a distal end 202 and a lumen 204 therethrough. In each of these cases, suture strands 104, 106 are typically inserted through the lumen 204 as shown. Referring to Fig. 3, the fastener 100 may be loaded within the lumen 204 so that the suture 15 strands 104, 106 are threaded through the fastener 100. The fastener 100 may then be deployed by pushing the fastener 100 out of the distal end 202 of the loading tool 200. Referring to Fig. 4, the fastener 100 may be loaded or mounted on the outside of the loading tool 200. Here, the fastener 100 is shown coiled around a shaft 203 of the loading tool 200 which houses the lumen 204 containing suture strands 104, 106. Thus, the fastener 100 may 20 then be deployed by pushing the fastener 100 off the distal end 202 of the loading tool 200 so that the fastener 100 engages the suture strands 104, 106 at a desired location. Similarly, Fig. 5 illustrates a fastener 100 loaded on the outside of the loading tool 200. However, in this case the fastener 100 is shown coiled around the distal end 202 of the loading tool in a more compressed fashion. Such compression is desirable with some fastener 100 designs. Again, 25 the fastener 100 may then be deployed by pushing the fastener 100 off the distal end 202 of the loading tool 200 so that the fastener 100 engages the suture strands 104, 106 at a desired location. It may be appreciated that the loading tool 200 may comprise a number of designs with the suture fastener 100 and/or suture strands 104, 106 having a number of arrangements for deployment and function of the suture fastener 100.

30 Figs. 6A-6C illustrate a possible application for usage of the suture fastener 100. Here, valve leaflets LF are shown sutured together for treatment of valvular regurgitation. The first suture strand 104 and the second suture strand 106 are each attached to a valve leaflet LF by any suitable means. Rather than tying the suture strands 104, 106 together with a knot, a suture fastener 100 is used to fasten the strands 104, 106 together. In

this example, the treatment procedure is performed with minimally invasive techniques wherein the valve leaflets are remotely accessed through the vascular system with the use of catheters. Thus, the loading tool 200 comprises a catheter which has been advanced through the vascular system to the leaflets LF. As shown in Fig. 6A, the loading tool 200, having the 5 suture fastener 100 loaded within, approaches the site of the suture and the free ends of the suture strands 104, 106 are positioned within the lumen 204 of the loading tool 200. Referring now to Fig. 6B, the suture fastener 100 is then deployed at a desired location to hold the strands 104, 106 in a fixed position relative to the fastener 100 and/or to each other. The position of the fastener 100 may then be adjusted by sliding the fastener 100 along the 10 suture strands 104, 106 to another desired location, such as closer to the leaflets LF as shown in Fig. 6C. Such adjustment is achieved by placing the fastener 100 in a tensioned position wherein the suture strands 104, 106 are engaged but not fixed, moving the fastener 100 along the strands 104, 106 and then returning the fastener 100 to a relaxed shape-recovery position to hold the strands 104, 106 in a fixed position. Once the fastener 100 has reached its final 15 position, the strands 104, 106 may be cut and the fastener 100 left in place, as illustrated in Fig. 6C.

As mentioned, the suture fastener 100 is comprised of at least one fastening element 102 comprised of any type of shape-recovery material. This includes but is not limited to nitinol wire, spring-tempered steel, polymers, Elgiloy ® (Elgin, IL) and the like. 20 Likewise, the material may take any suitable form, such as round wire, flat wire, ribbon, hypotube, braid or cable. In many embodiments, the fastener 100 is comprised of 0.004-0.012 inch wire, preferably 0.008 inch superelastic nitinol wire. In some cases, the fastener 100 is heat-set by baking at approximately 450-560°C for around 5-10 min, preferably approximately 7 min, followed by cool water quenching. The shape-recovery material allows 25 the element 102 to have a tensioned position for engaging the suture strands while allowing sliding of the element relative to the suture strands and a relaxed shape-recovery position for holding the strands in a fixed position relative to the element or to each other. It may be appreciated that the element 102 is transitionable between the tensioned and relaxed position by application and release of force on the element 102, by a change in temperature of the 30 element or by any other applicable means.

The fastening element 102 may take any number of forms suitable for holding suture strands along various paths, including substantially straight to various degrees of tortuous. In some embodiments, the element 102 comprises a coil 250. As shown in cross-section in Figs. 7A-7B, each turn of the coil 250 may have, for example, an oval or elliptical

shape, Fig. 7A, or a circular shape, Fig. 7B. In addition, each turn of the coil 250 may include at least one suture retention loop 252. Or, various turns of the coil 250 may include one or more suture retention loops 252 and other turns may include no suture retention loops. The suture retention loops 252 are often disposed in diametrical opposition when the element 5 102 is in the relaxed shape-recovery position. Fig. 8 provides a perspective view of the element 102 in the relaxed shape-recovery position, the element 102 having four turns of the coil 250, each turn having two diametrically opposed suture retention loops 252. During loading on or in the loading tool or at any other time when the element 102 is in the tensioned position, the suture retention loops 252 are disposed in concentric alignment. The element 10 10 can undergo such deflection for loading on the loading tool with little or no permanent deformation due to the construction of the element 102, in particular the presence of the arched coil turn connecting the suture retention loops. Since the arches assume the deflection, the individual suture retention loops do not have as much strain placed on them and thus are able to more easily keep their shape. Concentric alignment of the loops 252 15 allows the suture strands 104, 106 to be advanced through the loops 252 along a substantially straight path for loading or repositioning of the element 102. Upon relaxation of the element 102, the strands are thus held along a tortuous path.

Fig. 9 illustrates a possible fixture 260 for fabricating the element 102. As shown, two 0.024 in stainless steel mandrels 280 are press fit into holes 282 in a base 284 and 20 trimmed to about 1 cm extension. The shape-recovery wire 286 is then wrapped around the fixture 260 as shown. Since each loop 252 is made with the wire 286 starting on the outside of the mandrels 280 and then returning to the outside of the mandrels 280, the suture would be trapped on the inside of the loop 252 and cannot slip out. Consequently, each loop 252 can be made with only one wind to keep the suture contained.

As shown in cross-section in Fig. 10, each turn of the coil 250 may have, for 25 example, a Figure-8 shape having two lobes 255. In addition, each turn of the coil 250 may include at least one suture retention loop 252 disposed within each lobe 255. Again, such loops 252 are typically disposed in diametrical opposition when the element 102 is in the relaxed shape-recovery position. Fig. 11 provides a perspective view of the element 102 in 30 the relaxed shape-recovery position, the element 102 having four turns of the coil 250, each turn having two diametrically opposed suture retention loops 252. It may be appreciated that the suture retention loops 252 may be absent from some turns of the coil to allow for greater deflection or strain in the tensioned position. During loading on or in the loading tool or at any other time when the element 102 is in the tensioned position, the suture retention loops

252 are disposed in nearly concentric alignment. Such alignment of the loops 252 allows the suture strands 104, 106 to be advanced through the loops 252 along a substantially straight path for loading or repositioning of the element 102. Upon relaxation of the element 102, the strands are thus held along a tortuous path. Fig. 12 illustrates a possible fixture 280 for
5 fabricating the element 102. As shown, two 0.024 in stainless steel mandrels 280 are press fit into holes 282 in a base 284 and trimmed to about 1 cm extension. The shape-recovery wire 286 is then wrapped around the fixture 260 as shown.

Figs. 13-14 illustrate suture strands 104, 106 held by the element 102 along tortuous paths in the relaxed shape-recovery position. Referring to Fig. 13, the element 102 has a Figure-8 shape as described in relation to Figs. 10-12. Here, the first suture strand 104 and the second suture strand 106 are shown held together by suture retention loops 252 in each turn of the coil 250. When the element 102 is in the relaxed shape-recovery position, as shown, the strands 104, 106 are held together along a tortuous zig zag path. Referring to Fig. 14, the element 102 again has a Figure-8 shape but here the first suture strand 104 and the second suture strand 106 are held separately by suture retention loops 252. Thus, when the element 102 is in the relaxed shape-recovery position, the first strand 104 follows a first tortuous path and the second strand 106 follows a second tortuous path which differs from the first tortuous path.
10
15

Figs. 26A-26B, 27A-27B, 28A-28B illustrate additional embodiments of the element 102 wherein each turn of the coil 250 has various numbers and arrangements of suture retention loops 252. In one embodiment shown in cross-section in Fig. 26A, each turn of the coil 250 has three suture retention loops 252. Fig. 26B provides a perspective view of the element 102 in the relaxed shape-recovery position, the element 102 having three turns of the coil 250, each turn having three suture retention loops 252. Also shown is a suture strand 104 threaded through the suture retention loops 252. In another embodiment shown in cross-section in Fig. 27A, each turn of the coil 250 has four suture retention loops 252. Fig. 27B provides a perspective view of the element 102 in the relaxed shape-recovery position, the element 102 having three turns of the coil 250, each turn having four suture retention loops 252. Also shown is a suture strand 104 threaded through the suture retention loops 252.
20
25
30

And, in yet another embodiment shown in cross-section in Fig. 28A, each turn of the coil 250 has five suture retention loops 252. Fig. 28B provides a perspective view of the element 102 in the relaxed shape-recovery position, the element 102 having four turns of the coil 250, each turn having five suture retention loops 252. Again, also shown is a suture strand 104 threaded through the suture retention loops 252. Thus, generally, the more suture retention

loops present, the more closely the threaded suture strand 104 follows the shape of the coil. However, as shown in Fig. 29, the suture strand 104 may be threaded through the loops 252 in a pattern that does not follow the shape of the coil 250, and additionally the suture strand 104 may not be threaded through all of the loops 252. It may be appreciated that each turn of 5 the coil may have any number of retention loops and the suture retention loops 252 may be absent from some turns of the coil to allow for greater deflection or strain in the tensioned position.

Fig. 30 illustrates an embodiment of the element 102 wherein the coil 250 is formed by alternating the direction of the wind. As shown, the coil 250 reverses direction of 10 the wind at reverse points 251. This provides a slightly different relaxed shape-recovery position from the standard coil shape and responds differently when in the tensioned position. As shown, the suture retention loops 252 may still be located within each turn of the coil.

It may also be appreciated that the turns of the coil 250 may be shaped other than circular or oval. For example, as shown in Fig. 31, each turn of the coil 250 may be 15 square or, as shown in Fig. 32, each turn of the coil 250 may be triangular. Suture retention loops 252 may be located along each turn, as shown, and a suture strand 104 is then threaded through the loops 252. Again, it may be appreciated that loops 252 may not be located along every turn of the coil and the suture strand 104 may be threaded through some or all of the loops in any configuration.

In other embodiments, the suture fastener 100 comprises two or more elements 20 300 which are interlockable, an example of which is illustrated in Figs. 15A-15C. Referring to Fig. 15A, the fastener 100 is comprised of two elements 300 which are curved so that they interlock as shown when the element is in the relaxed shape-recovery position. Each element 300 may be comprised of an elongate wire, ribbon, rod, filament, shaft, braid, strand, cable, 25 hypotube, weave, or mesh, to name a few. As shown in Fig. 15B, the elements 300 may be separated, straightened, held open or untwisted in the tensioned position so that suture strands 104, 106 may be placed within or between them. In this arrangement, the strands 104, 106 may be moved or adjusted relative to the elements 300 or each other. When the elements 300 return to the relaxed shape-recovery position, the elements 300 interlock around the strands, 30 as shown in Fig. 15C, so that the suture strands 104, 106 are held in a fixed position relative to the element 300 and each other. Similarly, in another embodiment, the fastener 100 is comprised of one element which has a straight configuration in the tensioned position and a curved configuration in the relaxed shape-recovery position so that the curved configuration can hold suture strands 104, 106 in a fixed position.

In additional embodiments, the suture fastener 100 comprises an element 400 which has a flat shape when in the tensioned position and a curved or bent shape when in the relaxed shape-recovery position, an example of which is illustrated in Figs. 16A-16B.

Referring to Fig. 16A, the element 400 is comprised of elongate wire, ribbon, rod, filament, 5 shaft, mesh or woven sheet, to name a few, having two or more apertures 402 along its length. In a preferred embodiment, the element 400 comprises a ribbon having a width in the range of approximately 0.030 to 0.120 inches and a thickness in the range of approximately 0.002 to 0.010 inches. The suture strands 104, 106 are threaded through the apertures 402 in an alternating fashion as shown. Alternatively, the strands 104, 106 may be threaded in 10 another arrangement which engages the strands 104, 106 with the element 400 yet allows the strands 104, 106 to slide relative to the element 400, as illustrated by arrows. When the element 400 forms the relaxed shape-recovery position, shown in Fig. 16B, the element 400 forms a curved or bent shape which prevents the strands 104, 106 from sliding relative to the element 400. Thus, the strands 104, 106 are fixed in place.

15 In still further embodiments, illustrated in Figs. 17A-17B and Figs. 18A-18B, the suture fastener 100 comprises an element 500 which has a first portion 502 having at least one first aperture 504 and a second portion 506 having at least one second aperture 508.

Referring to Fig. 17A, the element 500 may have a cylindrical shape wherein the portions 502, 506 comprise end flaps as shown. By placing the element 500 in the tensioned position, 20 the portions 502, 506 are overlapped so that at least one first aperture 504 is concentrically aligned with at least one second aperture 508. Suture strands 104, 106 threaded through the apertures 504, 508, as shown, may thus slide in relation to the element 500 for adjustment of the position of the element 500. When the element 500 is placed in the relaxed shape-recovery position, shown in Fig. 17B, the at least one first aperture 504 is then misaligned 25 with the at least one second aperture 508. In this configuration, it is much more difficult for the suture strands 104, 106 to slide relative to the element 500 so the strands 104, 106 are essentially fixed in place. Similarly, as shown in Figs. 18A-18B, the element 500 may have a triangular shape wherein the portions 502, 506 comprise end flaps as shown. In this embodiment, the element 500 functions as in Figs. 17A-17B respectively.

30 In another embodiment, illustrated in Figs. 33A-33B, the element 500 again has a first portion 502 having at least one first aperture 504 and a second portion 506 having at least one second aperture 508. Referring to Fig. 33A, the element 500 may have a cylindrical shape wherein the portions 502, 506 comprise end flaps as shown. By placing the element 500 in the tensioned position, the portions 502, 506 are overlapped so that at least

one first aperture 504 is concentrically aligned with at least one second aperture 508. The element may be held in the tensioned position by the insertion of a mandrel 505, as shown, or by any other suitable means. Suture strands 104, 106 threaded through the apertures 504, 508, as shown, may thus slide in relation to the element 500 for adjustment of the position of the element 500. When the mandrel 505 is removed element 500 is placed in the relaxed shape-recovery position, shown in Fig. 33B, the at least one first aperture 504 is then misaligned with the at least one second aperture 508 by inward recoiling of the element 500. In this configuration, it is much more difficult for the suture strands 104, 106 to slide relative to the element 500 so the strands 104, 106 are essentially fixed in place.

Fig. 19 illustrates an embodiment of a delivery catheter 520 for delivery and deployment of the element 500. Here, the delivery catheter 520 comprises a push rod 522, having a slot 524 therethrough, surrounded by an outer tube 526. The element 500 is loaded, in the compressed or tensioned position, within the outer tube 526 distal to the push rod 522. Suture strands 104, 106 are threaded through the element 500, as previously described in relation to Figs. 17A-17B and Figs. 18A-18B, and through the slot 524 in the push rod 522. Once the sutures 104, 106 are positioned in the tissue (not shown), such as through valve leaflets wherein anchors 530 at the ends of the sutures 104, 106 rest against the underside of the leaflets, the element 500 may be positioned at a desired location along the suture strands 104, 106. Once in this position, the element 500 is deployed from the catheter 520 by pushing the element 500 out of the outer tube 526 with the push rod 522. A cutting mechanism 532 may also be integral with the push rod 522 to cut the suture strands 104, 106 and leave the element 500 in place.

In additional embodiments, the suture fastener 100 comprises a ratcheting mechanism 600 for securing a textured suture strand 602. Typically, such suture strands 602 are comprised of a fiber, thread, filament, wire or cord and may be textured by any means to provide a surface having protuberances 603 for securing with the ratcheting mechanism 600. Protuberances may include knots, beads, balls, ribs and spokes. For example, an embodiment of a suture strand 602 having a ribbed texture is shown in Fig. 20A, and an embodiment having a beaded texture is shown in Fig. 20B. The suture strand 602 or at least one protuberance 603 may be comprised of any suitable material, such as stainless steel, metal, polymer, silicone, latex, epoxy, cotton, nylon, polyester and Teflon, to name a few. For example, the suture strands 602 may be formed by extruding the desired texture with a rigid polymer over a stainless steel core wire. Alternatively, knots may be tied in increments along a flexible suture strand to provide a suitable texture.

Figs. 21A-21B illustrate embodiments of the ratcheting mechanism 600 for use with the textured suture strand 602. As shown in Figs. 21A -21B, the ratcheting mechanism 600 may include a cylindrical tube 604 having flexible arms 606 thereattached. Stoppers 608 are attached near the distal end of the arms 606 as shown. The stoppers 608 are used to nestle between the protuberances 603 of the suture strand 602 and hold the strand 602 in place. For example, the ratcheting mechanism 600 may be adapted to hold the suture strand 602 at a first location and then release the strand 602 and hold the strand 602 at a second location upon adjustment, wherein the first and second locations are a predetermined distance apart. Referring to Fig. 22, the suture fastener 100 may further comprise a housing 610 having a flange 612 for tissue contact wherein the ratcheting mechanism 600 is housed within. The fastener 100 may be mounted on the distal end 622 of a delivery catheter 520 for placement in a desired location along a suture strand 602. As shown in Fig. 23, valve leaflets LF may be fixed together by a suture strand 602. Suture fasteners 100 may be positioned along the suture strand 602, as shown, so that the flanges 612 contact the surfaces of the leaflets LF. The position of the fasteners 100 may be adjusted by advancing the suture strand 602 through the ratcheting mechanism 600. The suture strand 602 is then held in place by action of the stoppers 608 in the protuberances 603 as described above. Similarly, as shown in Figs. 24A-24B, one suture fastener 100 may be used to fix a pair of leaflets together. In Fig. 24A, the suture strand 602 is passed through each of the leaflets LF wherein one end of the strand 602 forms a loop 624 through which the other free end 626 of the strand 602 is passed. The fastener 100 is then positioned along this free end 626 and adjusted and/or secured as described in relation to Fig. 23. In Fig. 24B, the suture strand 602 is passed through each of the leaflets LF so that both free ends 626 are on one side of the leaflets LF. The fastener 100 is then positioned along both free ends 626, as shown, and adjusted and/or secured as described in relation to Fig. 23.

Referring now to Fig. 25, kits 700 according to the present invention comprise at least a suture fastener 100 and instructions for use IFU. Such kits may include more than one suture fastener which may include different features, such as element 102 or ratcheting mechanism 600. Optionally, the kits may further include one or more of any of the other system components described above, such as a loading tool 200, a suture strands 104, 106, a textured suture strand 602, and/or a delivery catheter 520. In addition, other items may be included related to the medical procedure, such as catheters, guidewires, introducers, dilators, and needles, to name a few. The instructions for use IFU will set forth any of the methods as described above, and all kit components will usually be packaged together in a pouch 702 or

other conventional medical device packaging. Usually, those kit components, such as suture fasteners 100, which will be used in performing the procedure on the patient will be sterilized and maintained within the kit. Optionally, separate pouches, bags, trays or other packaging may be provided within a larger package, where the smaller packs may be opened separately
5 to separately maintain the components in a sterile fashion.

Although the foregoing invention has been described in some detail by way of illustration and example, for purposes of clarity of understanding, it will be obvious that various alternatives, modifications and equivalents may be used and the above description should not be taken as limiting in scope of the invention which is defined by the appended
10 claims.

WHAT IS CLAIMED IS:

- 1 1. A suture fastener for adjustably holding one or more suture strands
2 comprising:
3 at least one fastening element comprised of a shape-recovery material,
4 wherein the element has a tensioned position for engaging the suture strands while allowing
5 sliding of the element relative to the suture strands and a relaxed shape-recovery position for
6 holding the strands in a fixed position relative to the element or to each other.
- 1 2. A suture fastener as in claim 1, wherein the element holds the suture
2 strands along a tortuous path in the relaxed shape-recovery position.
- 1 3. A suture fastener as in claim 2, wherein the suture strands comprise a
2 first suture strand and a second suture strand, wherein the first strand follows a first tortuous
3 path and the second strand follows a second tortuous path which differs from the first
4 tortuous path.
- 1 4. A suture fastener as in claim 2, wherein the tortuous path has a zig zag
2 form or spiral form.
- 1 5. A suture fastener as in claim 1, wherein the element holds the suture
2 strands along a substantially straight path in the tensioned position.
- 1 6. A suture fastener as in claim 1, wherein the element comprises a coil.
- 1 7. A suture fastener as in claim 6, wherein at least one turn of the coil has
2 a circular, triangular, square or multi-sided shape.
- 1 8. A suture fastener as in claim 6, wherein at least one turn of the coil
2 includes at least one suture retention loop.
- 1 9. A suture fastener as in claim 8, wherein each suture retention loop has
2 a circular, oval, elliptical, square, triangular or multi-sided shape.
- 1 10. A suture fastener as in claim 8, wherein the suture retention loops of
2 each coil turn are disposed in diametrical opposition when the element has the relaxed shape-
3 recovery position.

1 11. A suture fastener as in claim 10, wherein the each turn of the coil has a
2 circular shape when the element has the relaxed shape-recovery position.

1 12. A suture fastener as in claim 10, wherein each turn of the coil has an
2 elliptical shape when the element has the relaxed shape-recovery position and the suture
3 retention loops of each coil turn are disposed along a long axis of the elliptical shape.

1 13. A suture fastener as in claim 10, wherein each turn of the coil has a
2 figure-eight shape comprising two lobes when the element has the relaxed shape-recovery
3 position and one suture retention loop is disposed within each lobe.

1 14. A suture fastener as in claim 8, wherein the suture retention loops are
2 disposed in substantially concentric alignment when the element has the tensioned position.

1 15. A suture fastener as in claim 1, wherein the element has a flat shape
2 when in the tensioned position and the element has a curved or bent shape in the relaxed
3 shape-recovery position.

1 16. A suture fastener as in claim 15, wherein the element comprises an
2 elongate wire, ribbon, rod, filament or shaft.

1 17. A suture fastener as in claim 16, wherein the element has two or more
2 apertures along its length.

1 18. A suture fastener as in claim 17, wherein the element comprises a
2 ribbon the has a width in the range of approximately 0.030 to 0.120 inches and a thickness in
3 the range of approximately 0.002 to 0.020 inches.

1 19. A suture fastener as in claim 16, wherein two or more elements
2 interlock when the elements are in the relaxed shape-recovery position.

1 20. A suture fastener as in claim 1, wherein the element has a first portion
2 having at least one first aperture and a second portion having at least one second aperture,
3 wherein at least one first aperture is concentrically aligned with at least one second aperture
4 when the element is in the tensioned position and the at least one first aperture is misaligned
5 with the at least one second aperture when the element is in the relaxed shape-recovery
6 position.

1 21. A suture fastener as in claim 20, wherein at least part of the first
2 portion overlaps at least part of the second portion when the element is in the tensioned
3 position.

1 22. A suture fastener as in claim 21, wherein the element has a cylindrical,
2 triangular, square, oblong or irregular shape.

1 23. A suture fastener as in claim 1, wherein the element is transitionable
2 from the tensioned position to the relaxed position by release of a force on the element.

1 24. A suture fastener as in claim 1, wherein the element is transitionable
2 from the tensioned position to the relaxed position by a change in temperature of the element.

1 25. A method for securing two or more suture strands together, comprising
2 the steps of:

3 providing at least one fastening element comprised of a shape-recovery
4 material, wherein the element is in a tensioned position for engaging the suture strands while
5 allowing sliding of the element relative to the suture strands;

6 engaging the suture strands with the element; and
7 transitioning the element to a relaxed shape-recovery position wherein the
8 strands are in a fixed position relative to the element or to each other.

1 26. A method as in claim 25, wherein the engaging step comprises
2 positioning the suture strands along a path through at least a portion of the element.

1 27. A method as in claim 26, wherein the engaging step comprises
2 positioning a first suture strand along a first path and a second suture strand along a second
3 path which differs from the first path.

1 28. A method as in claim 26, wherein the element comprises a coil where
2 each turn of the coil includes two or more suture retention loops and the positioning step
3 includes positioning the suture strands through two or more suture retention loops.

1 29. A method as in claim 28, wherein the suture retention loops of each
2 coil turn are disposed in diametrical opposition when the element is in the relaxed shape-
3 recovery position, and the positioning step includes positioning the suture strands through

4 successive suture retention loops so that the strands follow a tortuous path when the element
5 is in the relaxed shape-recovery position.

1 30. A method as in claim 25, wherein the providing step comprises loading
2 the element on a loading tool.

1 31. A method as in claim 25, wherein the providing step comprises
2 providing the element loaded on or within a loading tool.

1 32. A method as in claim 30 or 31, wherein the transitioning step
2 comprises releasing the element from the loading tool.

1 33. A method as in claim 26, wherein the element comprises an elongate
2 wire, ribbon, rod, filament, shaft, mesh or woven sheet having two or more apertures along its
3 length and the positioning step comprises positioning the suture strands through at least two
4 apertures.

1 34. A method as in claim 33, wherein the positioning step comprises
2 positioning the suture strands through apertures in a stitching fashion.

1 35. A method as in claim 25, wherein the element comprises an elongate
2 wire, ribbon, rod, filament or shaft and the engaging step comprises positioning the suture
3 strands near at least two elements so that the elements capture the suture strands during the
4 transitioning step by interlocking with each other.

1 36. A method as in claim 26, wherein the element has a first portion
2 having at least one first aperture and a second portion having at least one second aperture and
3 the positioning step comprises positioning the suture strands through at least one first
4 aperture and at least one second aperture.

1 37. A method as in claim 36, wherein the providing step includes
2 providing the element so that at least one first aperture is concentrically aligned with at least
3 one second aperture and the positioning step comprises positioning the suture strands through
4 apertures in a stitching fashion.

1 38. A method as in claim 25, further comprising sliding the element along
2 the suture strands to a desired position prior to the transitioning step.

1 39. A method as in claim 25, further comprising adjusting the position of
2 the element along the suture strands after the transitioning step.

1 40. A method as in claim 39, wherein the adjusting step comprises:
2 transitioning the element to the tensioned position; and
3 moving the element in relation to the suture strands.

1 41. A system for adjustably holding one or more suture strands
2 comprising:

3 at least one fastening element comprised of a shape-recovery material,
4 wherein the element has a tensioned position for engaging the suture strands while allowing
5 sliding of the element relative to the suture strands and a relaxed shape-recovery position for
6 holding the strands in a fixed position relative to the element or to each other; and

7 a loading tool having a proximal end, a distal end and a lumen therethrough,
8 wherein the element is loadable on the loading tool.

1 42. A system as in claim 41, wherein the loading tool further comprises a
2 shaft near the distal end.

1 43. A system as in claim 42, wherein the element comprises a coil which is
2 mountable on the shaft.

1 44. A system as in claim 43, wherein each turn of the coil includes at least
2 one suture retention loop and wherein the coil is loadable on the loading tool by inserting the
3 shaft through at least one of the suture retention loops.

1 45. A system as in claim 41, further comprising at least one suture strand
2 which is engageable by the element.

1 46. A system as in claim 45, wherein the loading tool further comprises a
2 shaft near the distal end which houses at least a portion of the lumen through which the suture
3 strand is threadable.

1 47. A suture fastening system for adjustably holding one or more suture
2 strands comprising:

3 a delivery catheter comprising a proximal end, a distal end, and a lumen
4 therethrough; and

5 a suture fastener loadable on the distal end of the delivery catheter, said
6 fastener comprising a ratcheting mechanism which is adapted to hold a suture strand at a first
7 location and then release the strand and hold the strand at a second location upon adjustment,
8 wherein the first and second locations are a predetermined distance apart.

1 48. A suture fastening system as in claim 47, further comprising at least
2 one suture strand, wherein the strand has at least a first protuberance disposed near the first
3 location and a second protuberance disposed near the second location.

1 49. A suture fastening system as in claim 48, wherein the suture strand
2 comprises a fiber, thread, filament, wire, cord, strand, cable or rope.

1 50. A suture fastening system as in claim 49, wherein at least one
2 protuberance is selected from the group consisting of knots, beads, balls, ribs, and spokes.

1 51. A suture fastening system as in claim 48, wherein the suture strand or
2 at least one protuberance is comprised of a material selected from the group consisting of
3 stainless steel, metal, polymer, silicone, latex, epoxy, cotton, nylon, polyester, and Teflon.

1 52. A suture fastening system as in claim 48, wherein the ratcheting
2 mechanism comprises at least two flexible arms having stoppers mounted thereon which are
3 engageable with the protuberance.

1 53. A suture fastening system as in claim 47, wherein the suture fastener is
2 loadable within the lumen of the delivery catheter.

1 54. A method for adjustably holding a suture strand comprising the steps
2 of:

3 providing a delivery catheter comprising a proximal end, a distal end, and a
4 lumen therethrough;

5 loading a suture fastener on the distal end of the delivery catheter, said
6 fastener comprising a ratcheting mechanism which is adapted to hold the suture strand at a
7 first location and then hold the strand at a second location upon adjustment, wherein the first
8 and second locations are a predetermined distance apart; and

9 engaging the suture fastener with the suture strand at the first location.

1 55. A method as in claim 54, wherein the suture strand has at least a first
2 protuberance disposed near the first location, wherein the ratcheting mechanism comprises at
3 least two flexible arms each having a stopper mounted thereon which are engageable with the
4 first protuberance, and wherein the loading step comprises positioning the suture strand so
5 that the stopper engages the first protuberance.

1 56. A method as in claim 54, further comprising adjusting the suture strand
2 by advancing the strand through the fastener so that the fastener engages the strand at the
3 second location.

1 57. A method as in claim 56, wherein the suture strand has at least a
2 second protuberance disposed near the second location, wherein the ratcheting mechanism
3 comprises at least two flexible arms each having a stopper mounted thereon which are
4 engageable with the second protuberance, and wherein the loading step comprises advancing
5 the suture strand so that the stopper engages the second protuberance.

1 58. A kit for adjustably holding one or more suture strands comprising:
2 at least one fastening element comprised of a shape-recovery material,
3 wherein the element has a tensioned position for engaging the suture strands while allowing
4 sliding of the element relative to the suture strands and a relaxed shape-recovery position for
5 holding the strands in a fixed position relative to the element or to each other; and
6 instructions for use.

1 59. A kit as in claim 58, further comprising a loading tool.

1 60. A kit as in claim 58, further comprising the suture strands.

1 61. A kit for adjustably holding one or more suture strands comprising:
2 a suture fastener comprising a ratcheting mechanism which is adapted to hold
3 a suture strand at first location and then release the strand and hold the strand at a second
4 location upon adjustment, wherein the first and second locations are a predetermined distance
5 apart; and
6 instructions for use.

1 62. A kit as in claim 61, further comprising a delivery catheter comprising
2 a proximal end, a distal end, and a lumen therethrough.

1 63. A kit as in claim 61, further comprising the suture strands.

1 64. A kit as in claim 63, wherein each strand has at least a first
2 protuberance disposed near the first location and a second protuberance disposed near the
3 second location.

1/17

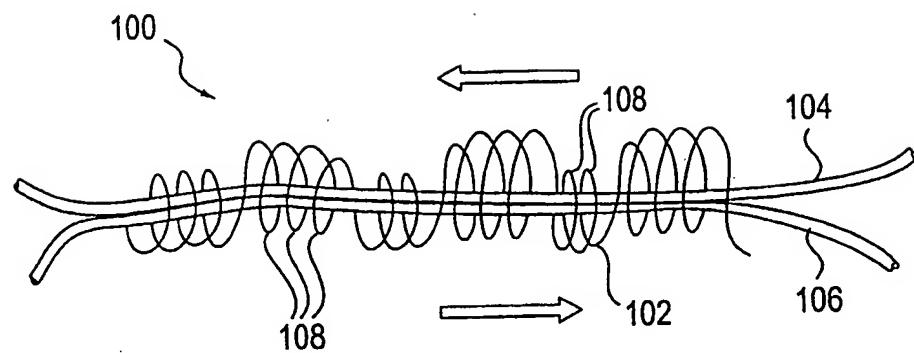


FIG. 1

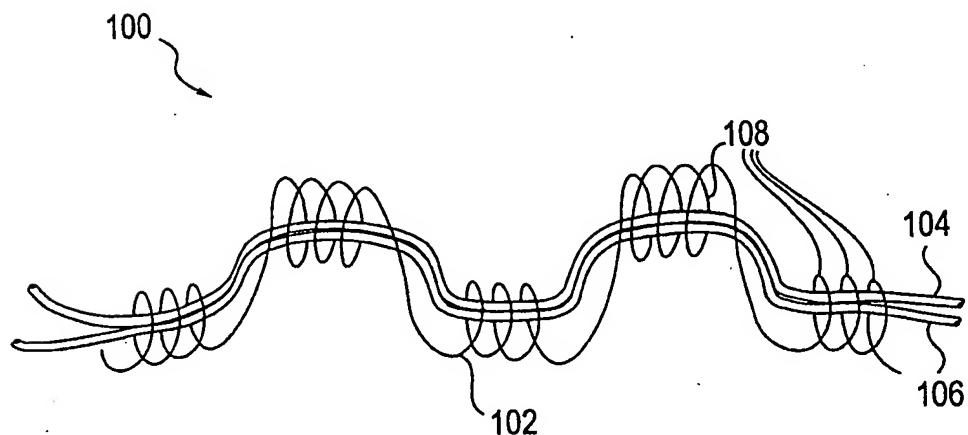


FIG. 2

2/17

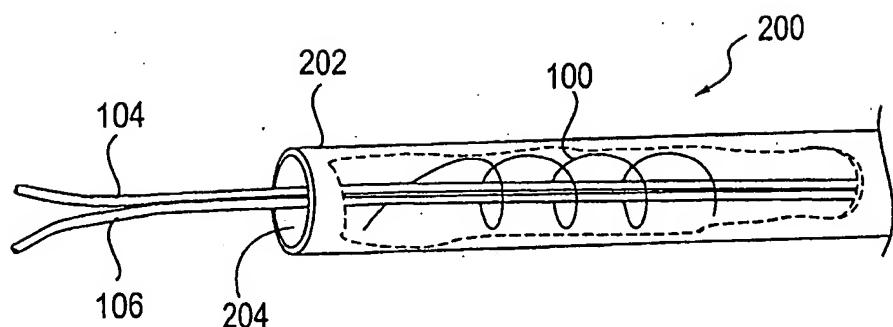


FIG. 3

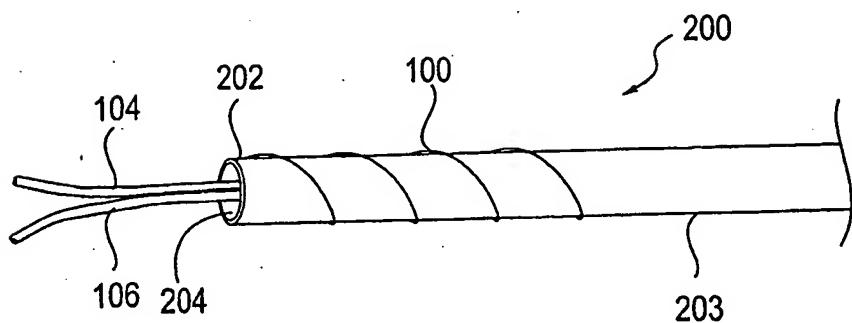


FIG. 4

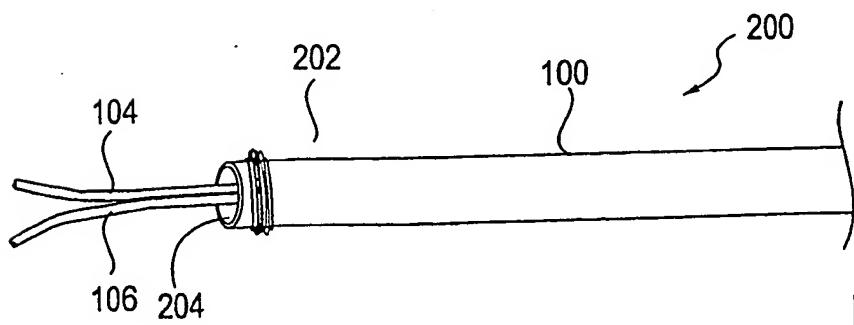


FIG. 5

3/17

FIG. 6C

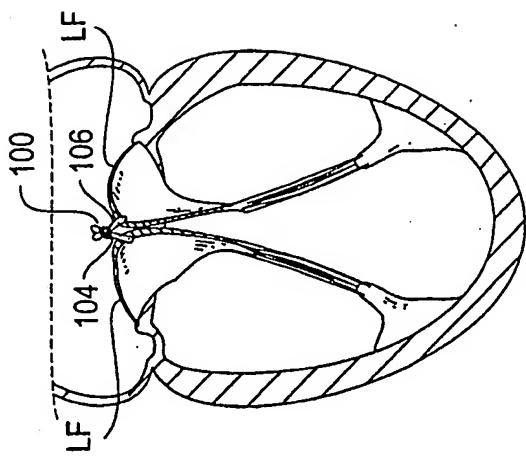


FIG. 6B

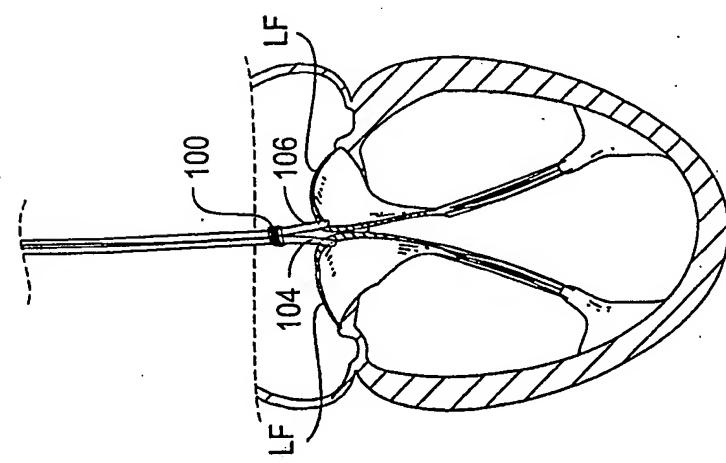
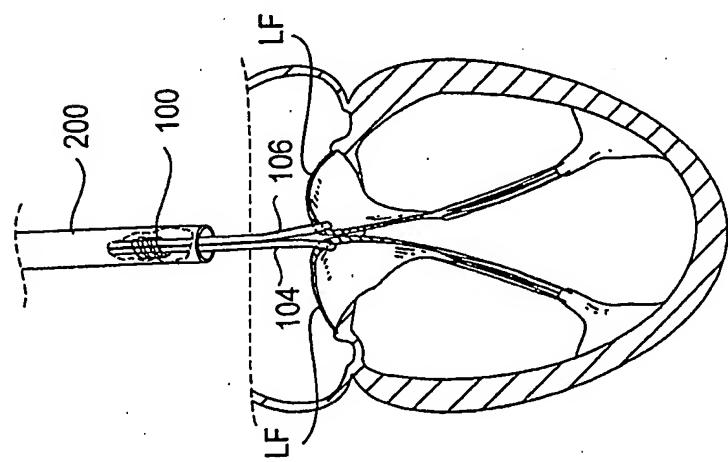


FIG. 6A



4/17

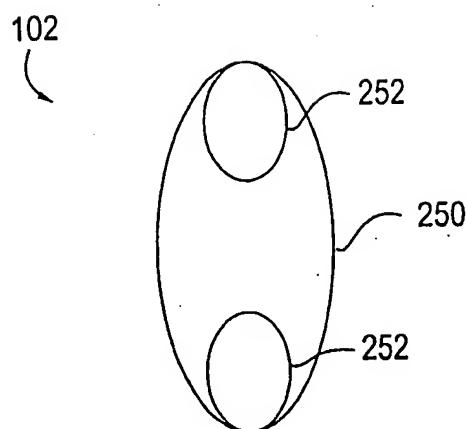


FIG. 7A

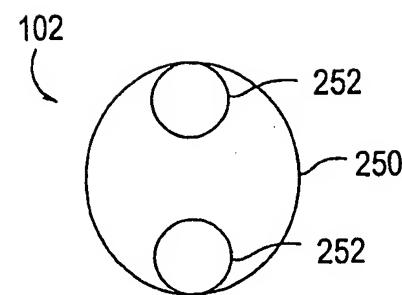


FIG. 7B

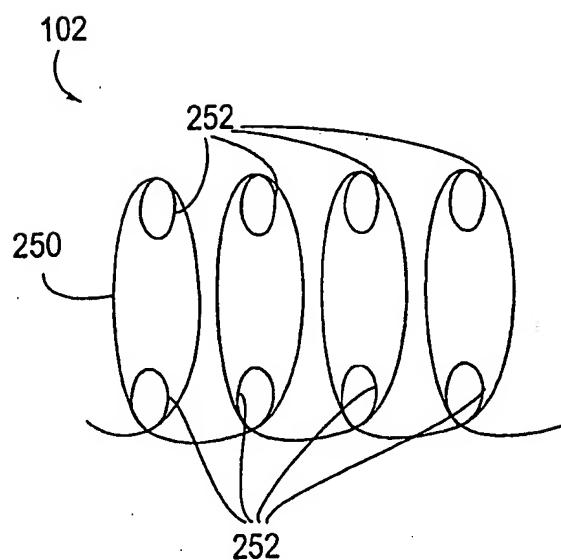


FIG. 8

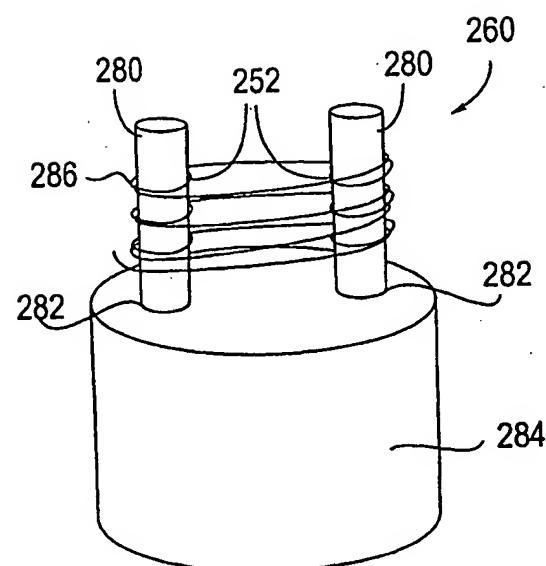


FIG. 9

5/17

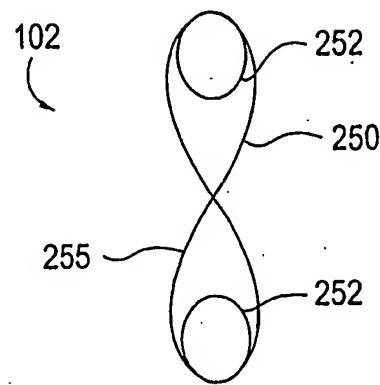


FIG. 10

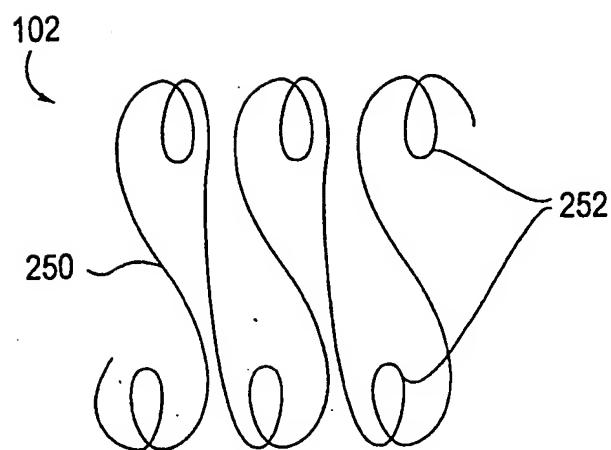


FIG. 11

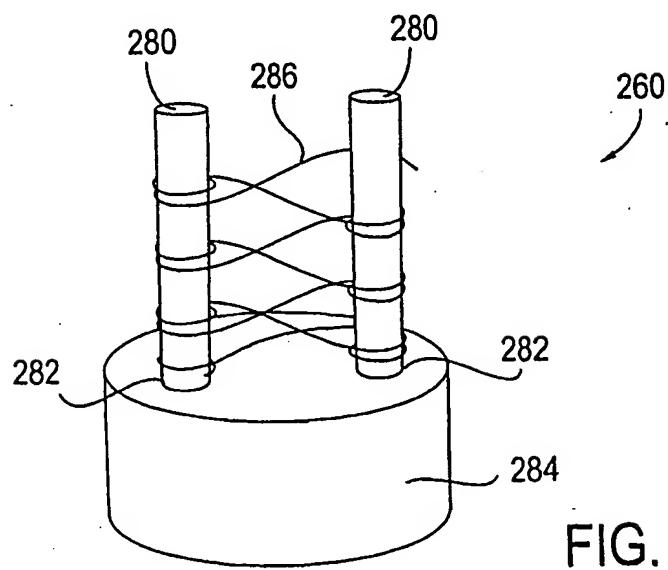


FIG. 12

6/17

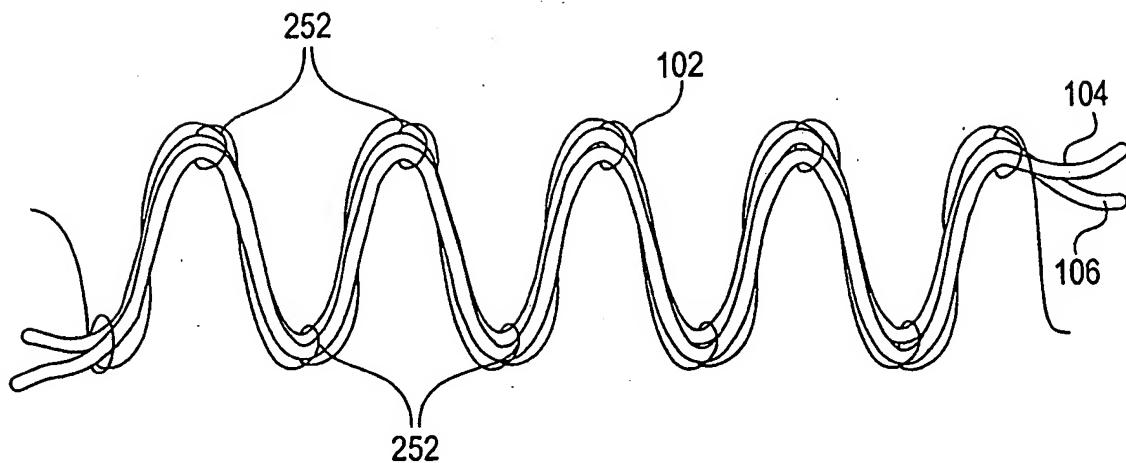


FIG. 13

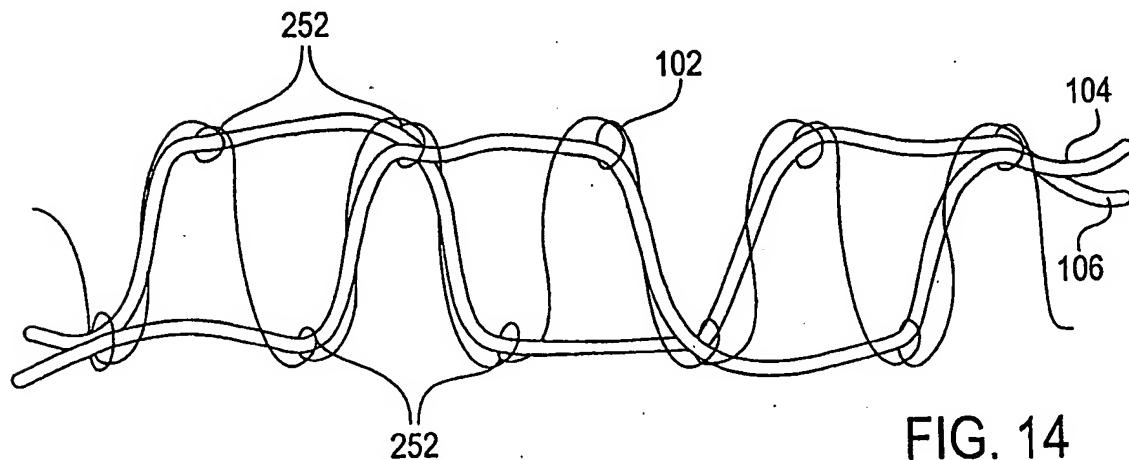


FIG. 14

7/17

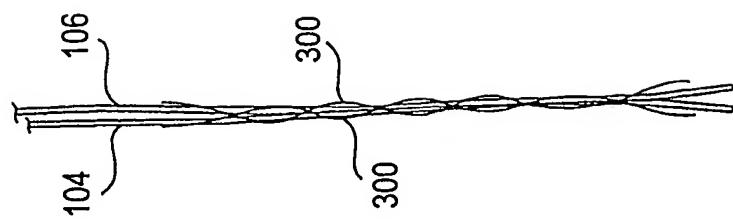


FIG. 15C

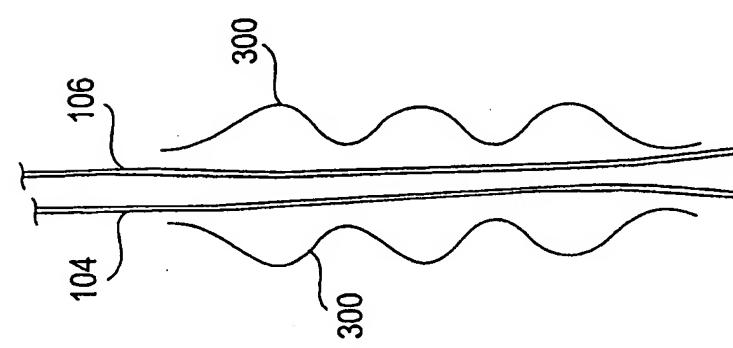


FIG. 15B

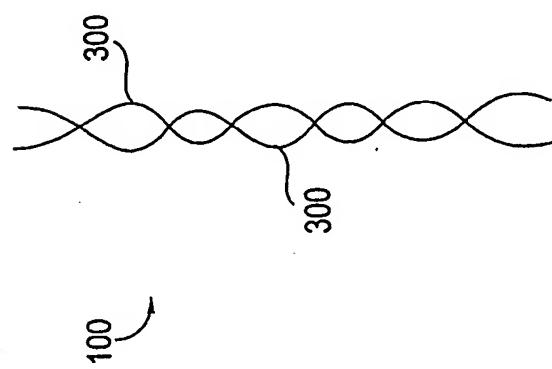


FIG. 15A

8/17

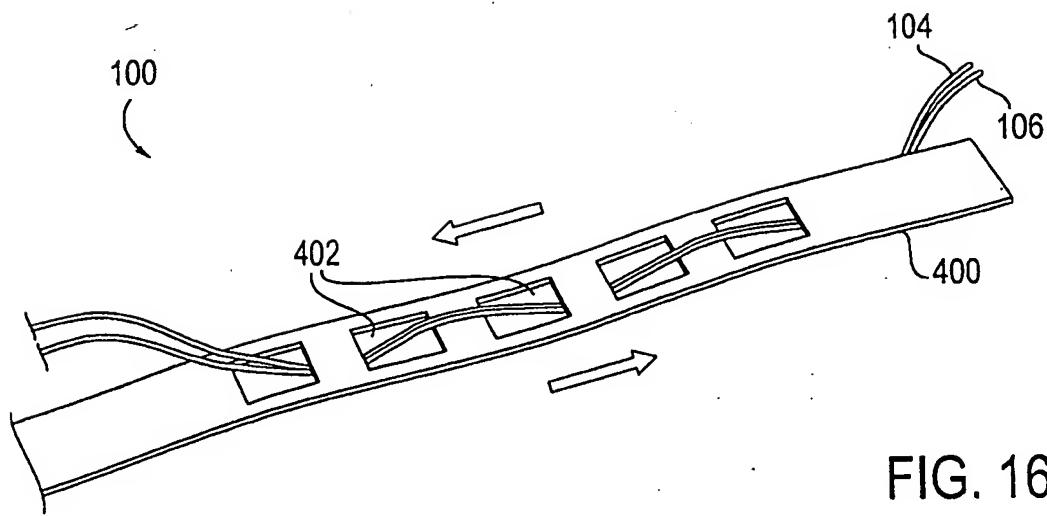


FIG. 16A

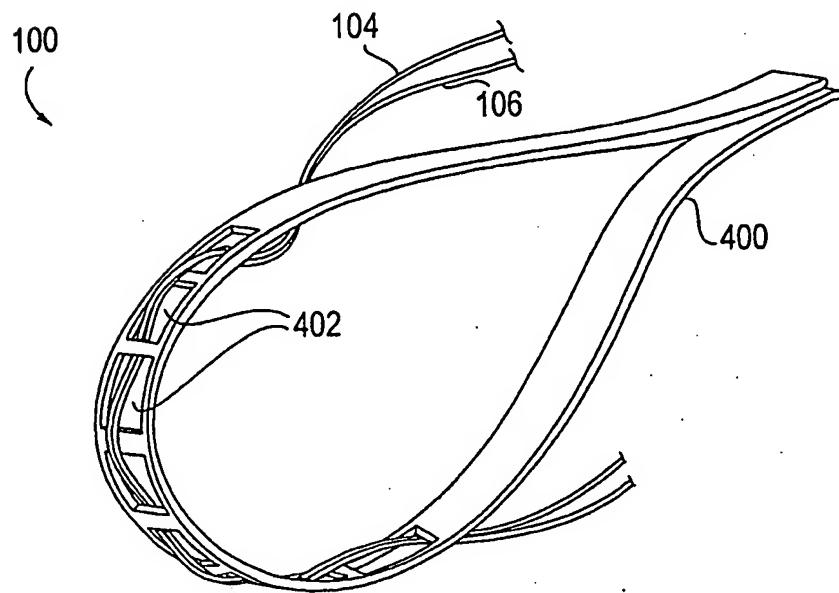


FIG. 16B

9/17

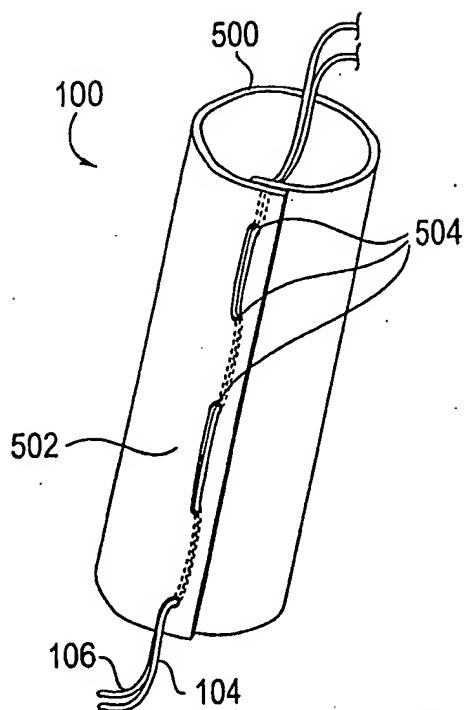


FIG. 17A

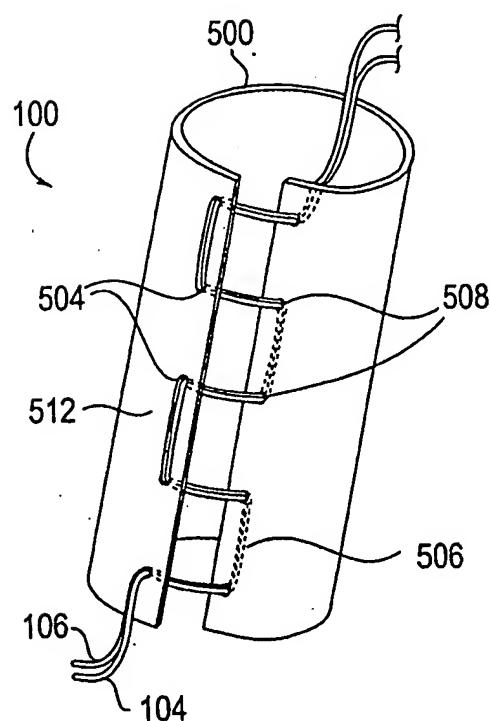


FIG. 17B

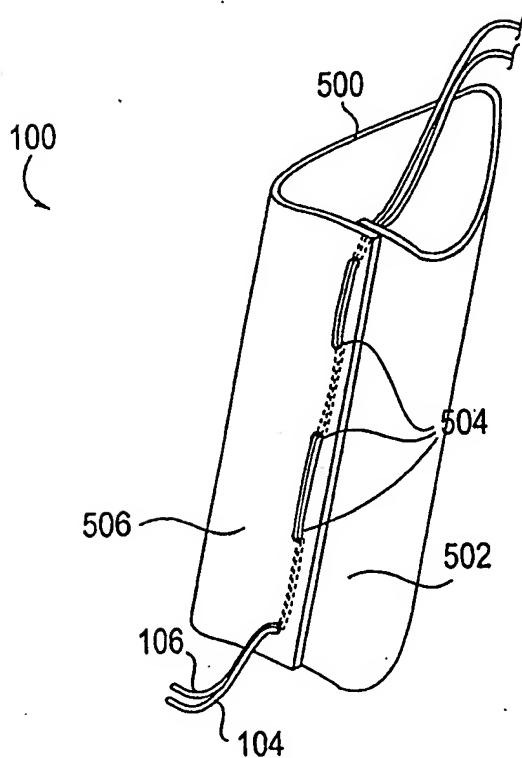


FIG. 18A

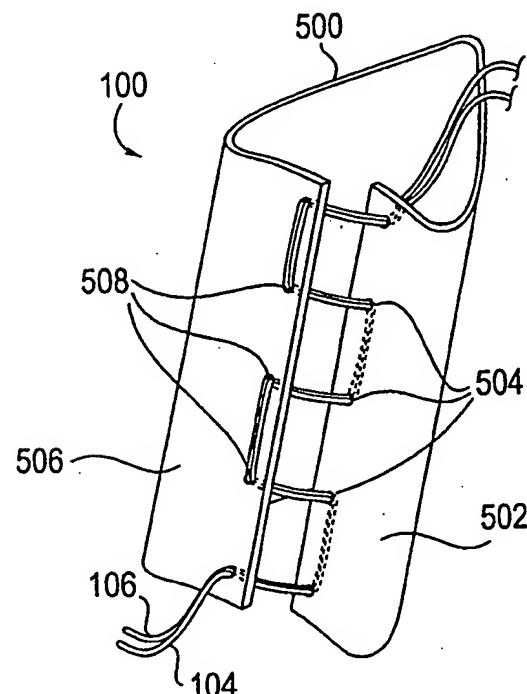


FIG. 18B

10/17

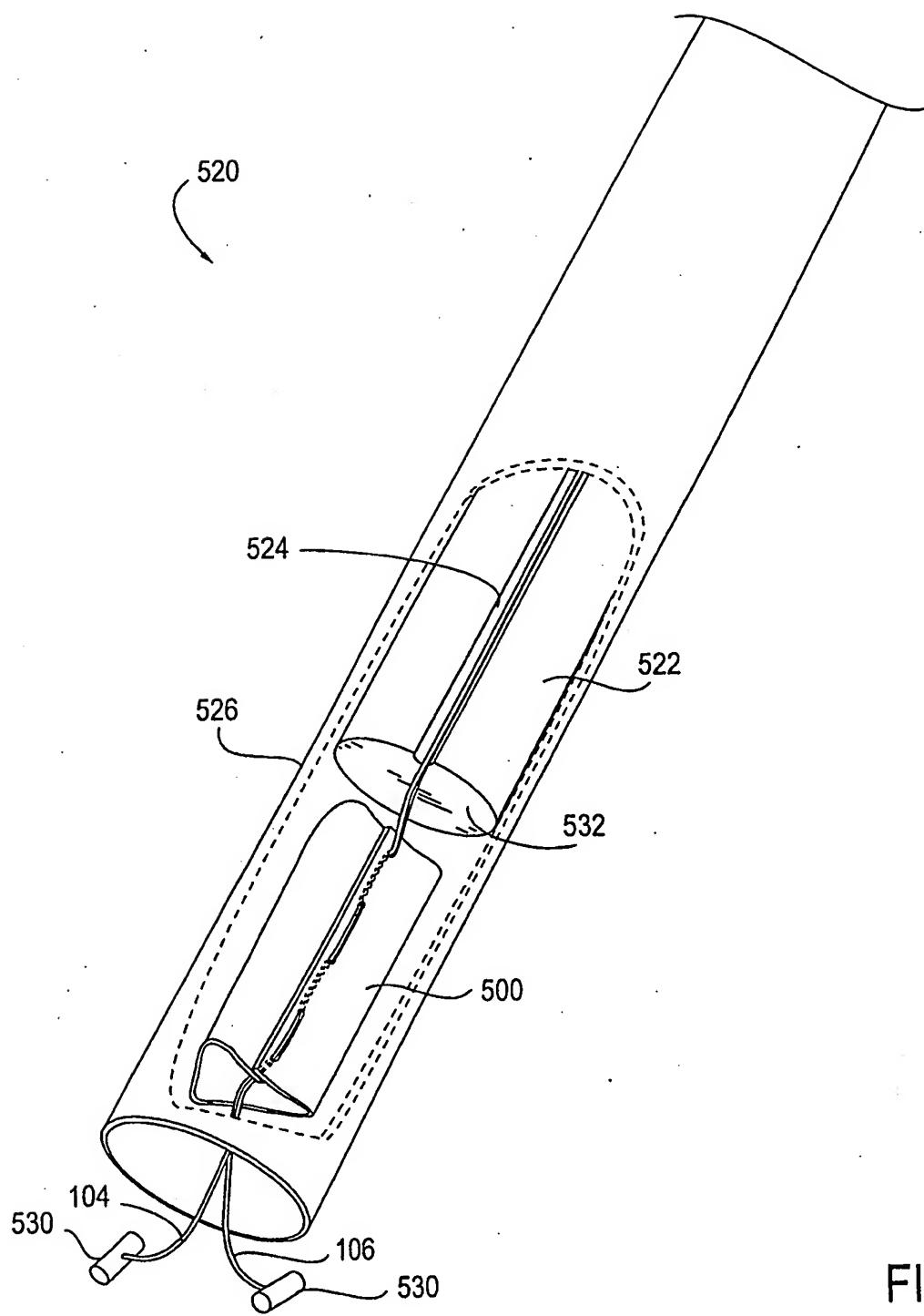


FIG. 19

11/17

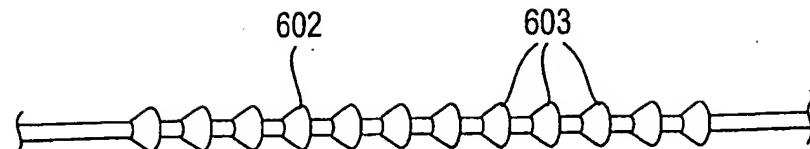


FIG. 20A

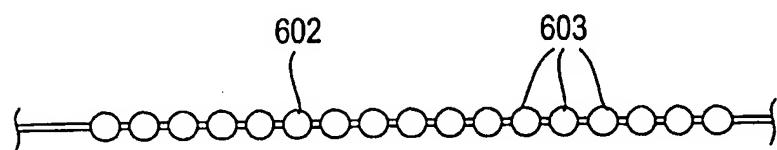


FIG. 20B

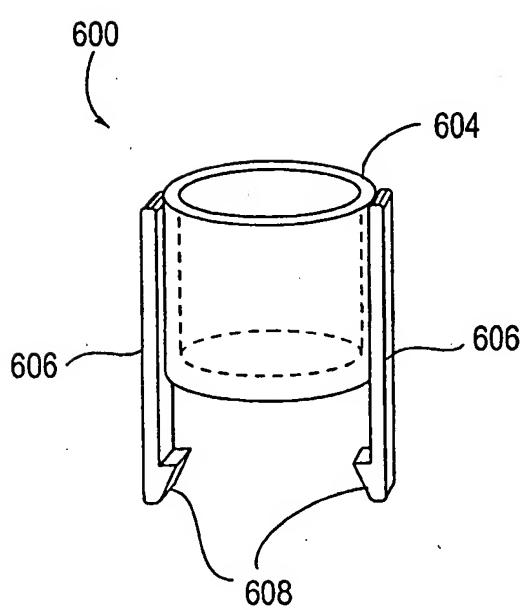


FIG. 21A

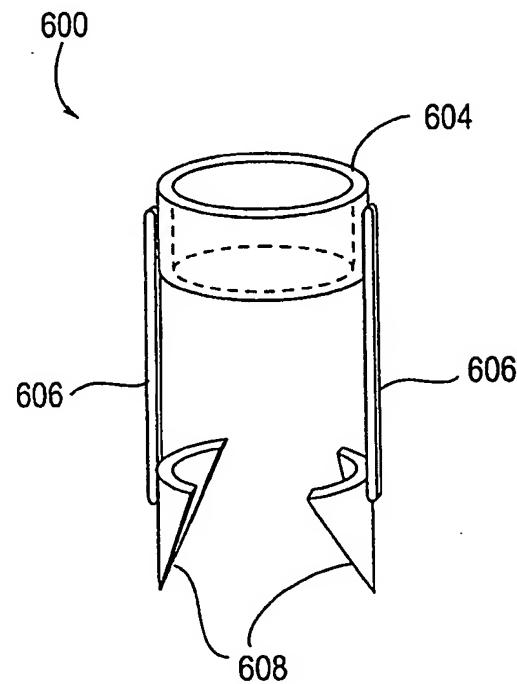
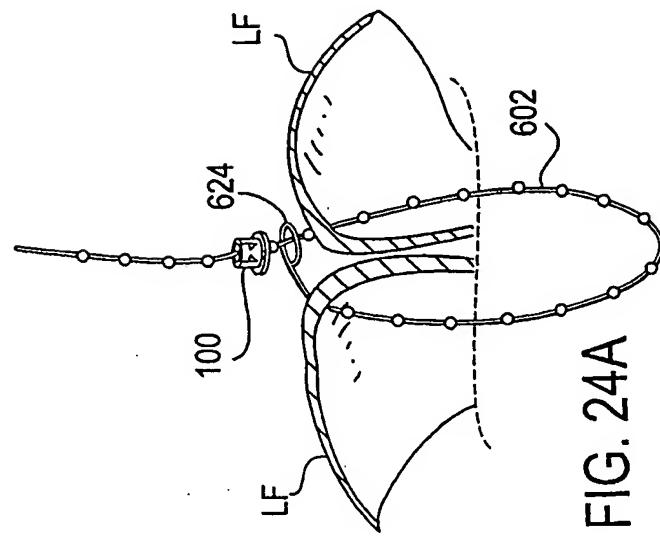
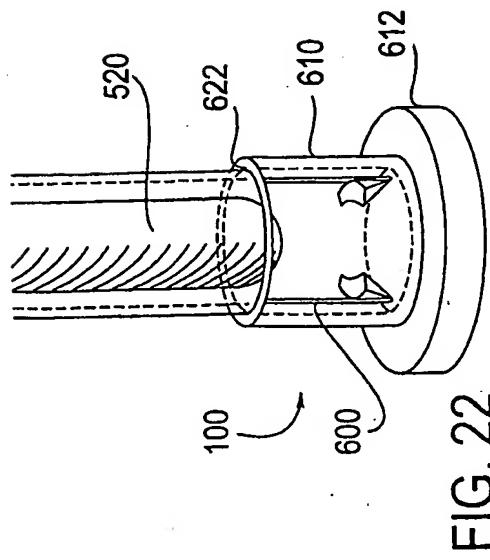
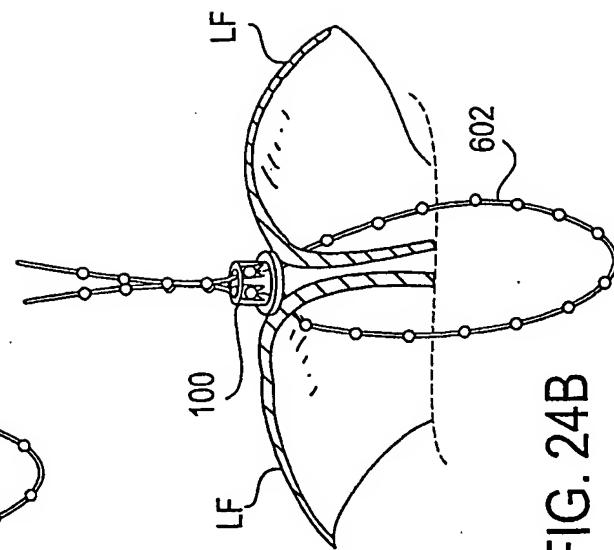
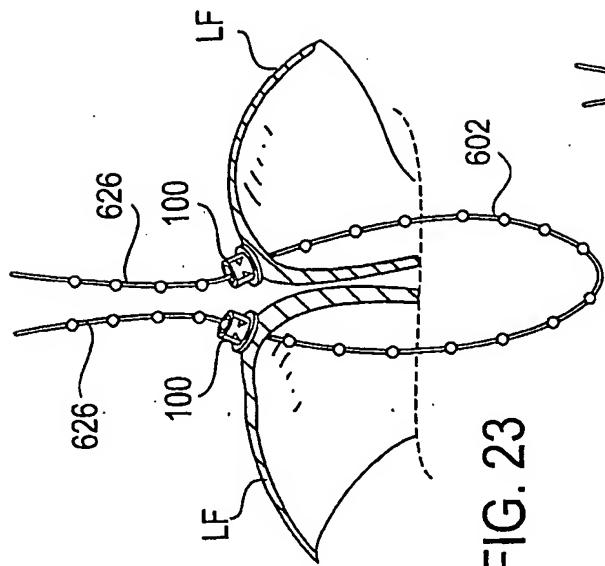


FIG. 21B

12/17



13/17

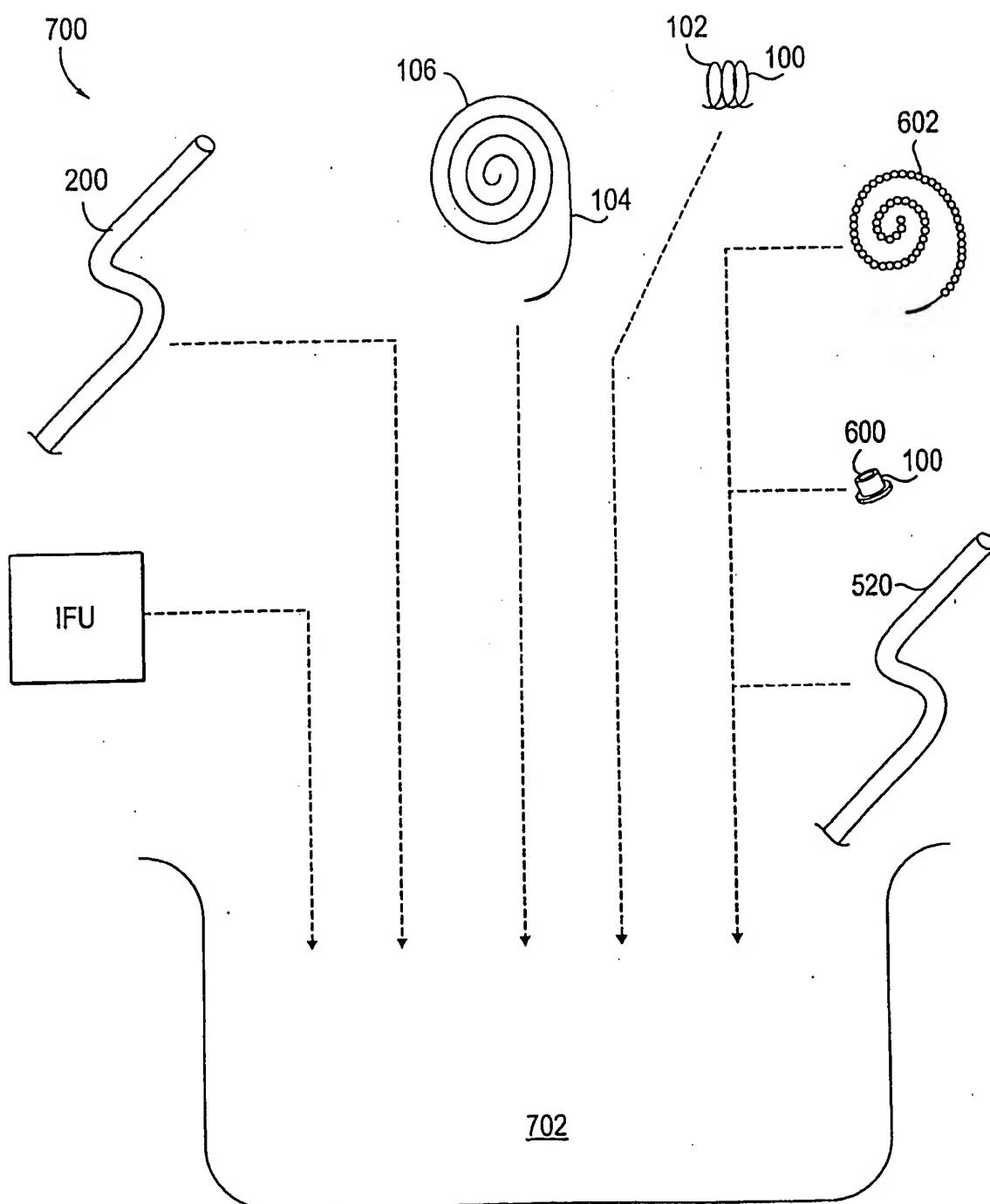


FIG. 25

14/17

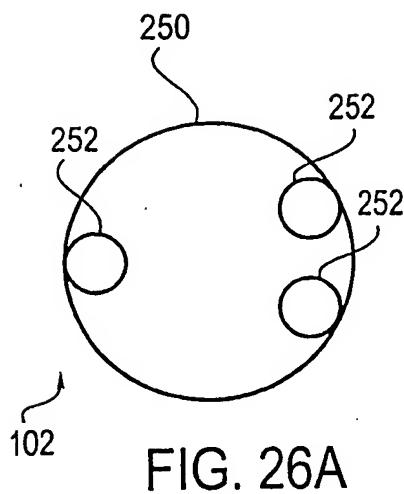


FIG. 26A

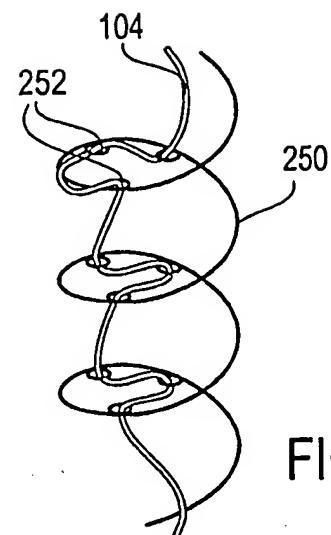


FIG. 26B

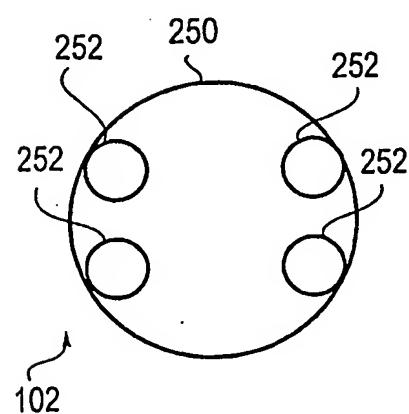


FIG. 27A

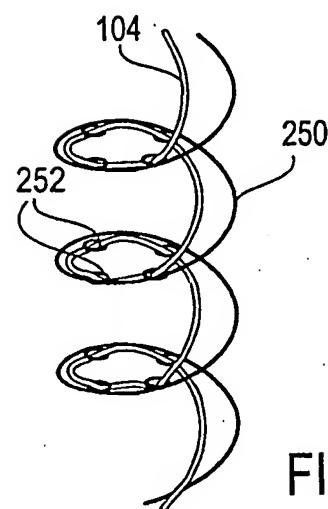


FIG. 27B

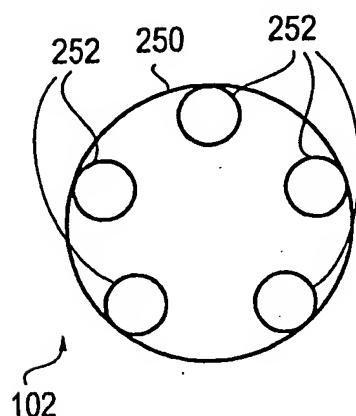


FIG. 28A

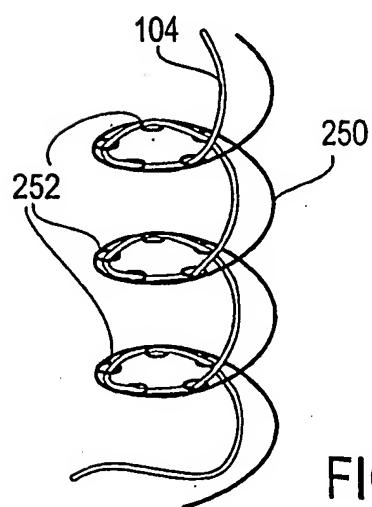


FIG. 28B

15/17

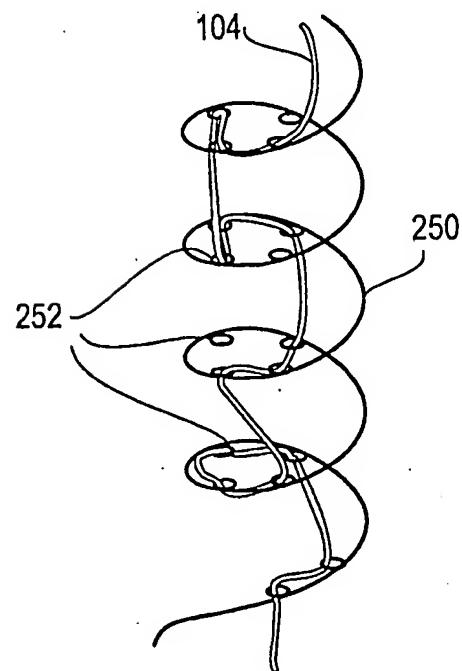


FIG. 29

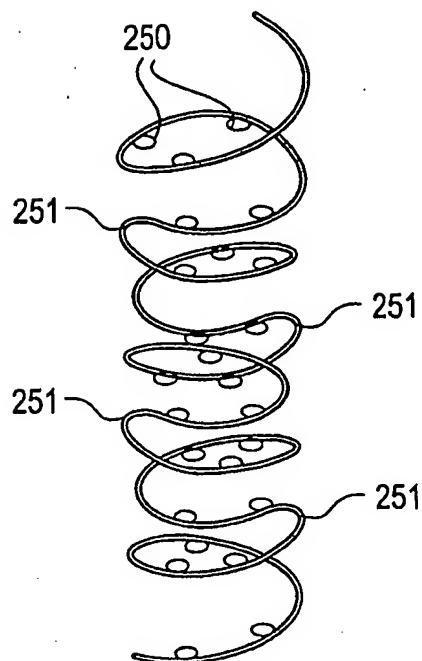


FIG. 30

16/17

FIG. 31

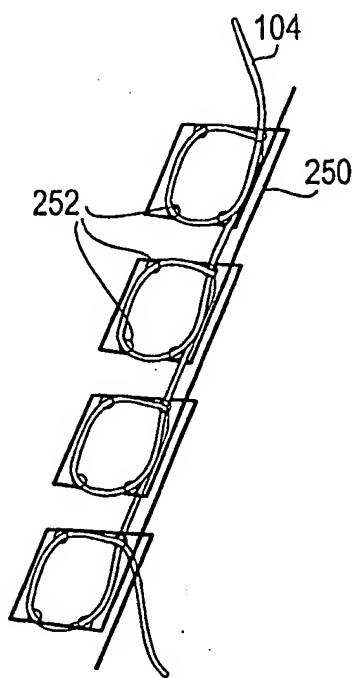
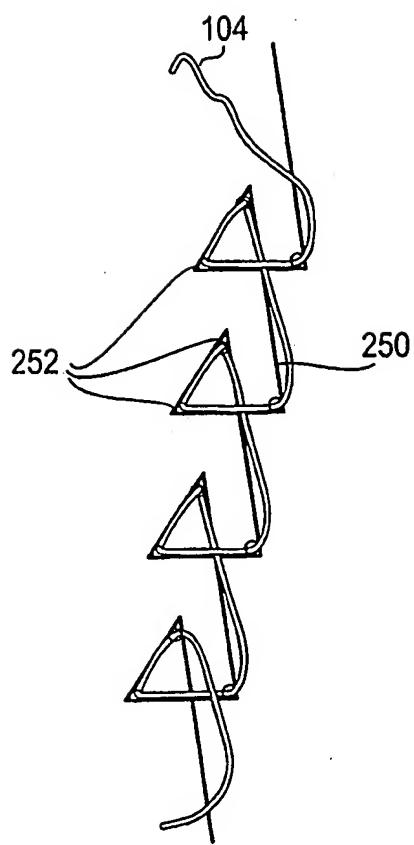


FIG. 32



17/17

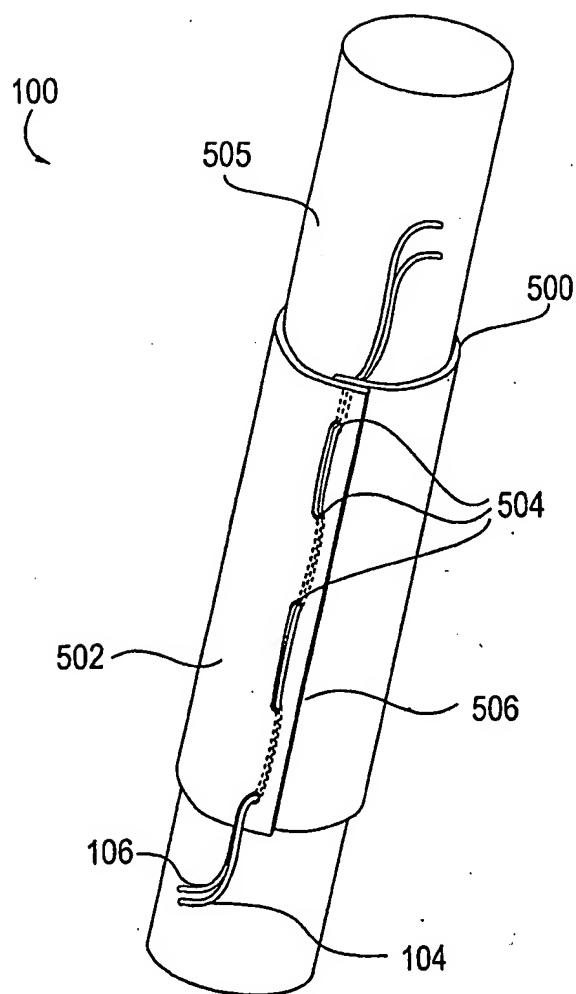


FIG. 33A

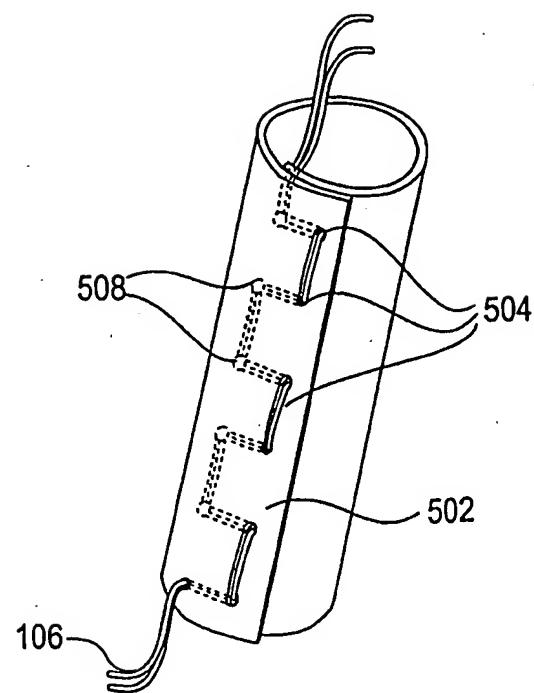


FIG. 33B

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
12 September 2003 (12.09.2003)

PCT

(10) International Publication Number
WO 2003/073913 A3

(51) International Patent Classification⁷: A61B 17/04

CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW.

(21) International Application Number:

PCT/US2003/006149

(22) International Filing Date: 26 February 2003 (26.02.2003)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

10/087,004 1 March 2002 (01.03.2002) US

(84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

(71) Applicant: EVALVE, INC. [US/US]; 2761A Fair Oaks Avenue, Redwood City, CA 94063 (US).

Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments

(72) Inventors: MARTIN, Brian, B.; 315 Alder Road, Boulder Creek, CA 95006 (US). THORNTON, Troy, L.; 743 Carolina, San Francisco, CA 94107 (US).

(88) Date of publication of the international search report:
22 January 2004

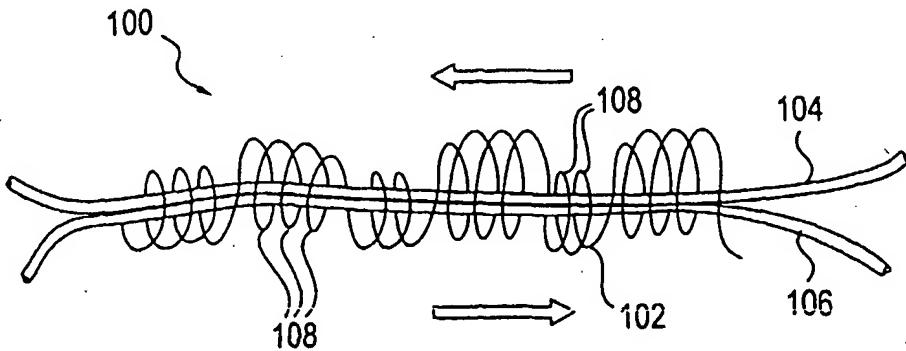
(74) Agents: THOMPSON, Lynn, M. et al.; Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834 (US).

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU,

(54) Title: SUTURE FASTENERS AND METHODS OF USE

WO 2003/073913 A3



(57) Abstract: The present invention provides apparatuses, systems, methods and kits for fastening sutures or similar devices used in medical surgical procedures. In particular, the present invention is suitable for use with percutaneous or minimally invasive procedures in which sutures are placed with catheter-based devices wherein the tying of knots (108) is particularly challenging. Suture fasteners (102) of the present invention provide for fastening the fasteners, and the fasteners are adjustable to allow repositioning of the fastener after placement to a new desired location along the suture strands.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/06149

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A61B 17/04

US CL : 606/232

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 606/232

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6,171,320 B1 (MONASSEVITCH) 09 January 2001 (09.01.2001), See figures 1-4, column 2, line 44.	1-4, 6-10, 23

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"T"

later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"E" earlier application or patent published on or after the international filing date

"X"

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"Y"

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"O" document referring to an oral disclosure, use, exhibition or other means

"&"

document member of the same patent family

"P" document published prior to the international filing date but later than the priority date claimed

Date of the actual completion of the international search

22 September 2003 (22.09.2003)

Date of mailing of the international search report

05 DEC 2003

Name and mailing address of the ISA/US:

Mail Stop PCT, Attn: ISA/US

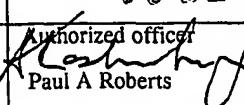
Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Faxsimile No. (703)305-3230

Authorized officer


Paul A. Roberts

Telephone No. (703) 308-0858

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/06149

Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This international report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claim Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claim Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claim Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:
Please See Continuation Sheet

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-4, 6-10, 20-23

Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

PCT/US03/06149

BOX II. OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I, claim(s) 1-24, drawn to a fastening apparatus.

Group II, claim(s) 25-40, drawn to a method of securing two suture strands together.

Group III, claim(s) 41-46, drawn to a system for holding one or more suture strands.

Group IV, claim(s) 47-53, drawn to a suture fastening system.

Group V, claim(s) 54-57, drawn to a method of holding a suture strand.

Group VI, claim(s) 58-60 drawn to a kit containing a fastening element that utilizes shape-memory properties to fasten a suture strand

Group VII, claim(s) 61-4, drawn to suture fastener utilizing a ratchet mechanism to hold the suture.

The inventions listed as Groups I-VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the corresponding technical feature between groups I-VII is a suture fastener made of a shape memory compound that has a suture retaining configuration and a relaxed configuration. Monassevitch US 6171320 B1 discloses a shape memory clip having a tensioned and untensioned phase. Thus none of the groups share a special technical feature, and the invention lacks unity of invention.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In order for more than one species to be examined, the appropriate additional examination fees must be paid. The species are as follows:

- a) From group I above,
 - A) a fastener with a helical path is claimed in claims 1, 2, & 7-24.
 - B) a fastener with a straight path is claimed in claims 1 & 5.

For A) multiple species of clips are claimed:

1. Clip 1 figure 18, claim 20
2. Clip 2 figure 10, claim 14
3. Clip 3 figure 7a, claim 11
4. Clip 4 figure 7b, claim 12
5. Clip 5 figure 11, claim 13
6. Clip 6 figure 16a, claim 15
7. Clip 7 figure 17a, claim 16
8. Clip 8 figure 22, claim 19

For clip 1, multiple species of shape-memory materials are disclosed:

- i) Force memory material claim 23
- ii) Heat memory material claim 24

Claim 1 is generic for group I species

- b) For group II, multiple species of clips are claimed for use in the method of group II
 - A. A coiled shape clip claim 28
 - B. A ribbon shape clip claim 33
 - C. A clip as shown in figure 18a claim 35
 - D. A clip as shown in figure 17a claim 37

INTERNATIONAL SEARCH REPORT

PCT/US03/06149

c) For group II, multiple species of steps are claimed for use in the method of group II
A. Method of advancing the sliding element along the suture strands to a desired position prior to the transitioning step. See claim 38.
B. Method of advancing the sliding element along the suture strands to a desired position after the transitioning step. See claim 39.

Claim 25 is generic for group II species.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: for a-c, the corresponding technical feature is a suture fastener made of a shape memory compound that has a suture retaining configuration and a relaxed configuration. Monassevitch US 6171320 B1 discloses a shape memory clip having a tensioned and untensioned phase. Thus none of the groups share a special technical feature, and the invention lacks unity of invention.